



NELSON COUNTY PLANNING COMMISSION

Meeting Agenda: July 22nd, 2020
General District Courtroom, 3rd Floor, Nelson County Courthouse, Lovingston

- **7:00 – Meeting Convenes / Call to Order**
- **Review of meeting minutes:** January 22nd, 2020
- **Public Hearings**
 - 1. Communication Tower #2020-01 – Class C – 7:05 pm
 - 2. Rezoning #2020-01 – R-1 to A-1 – 7:20 pm
 - 3. Special Use Permit #2020-01 – Extended Stay Campground – 7:35 pm
 - 4. Special Use Permit #2020-02 – Artist Community – 7:50 pm
 - 5. Special Use Permit #2020-03 – Office – 8:05 pm
- **Board of Supervisors Report**
- **Adjournment**
- **Next Meeting:** TBD

NOTICE: In alignment with current COVID-19 guidelines, and to guard the health and safety of all meeting attendees, social distancing and the wearing of face masks will be required in the courtroom. If you do not have a mask, one will be provided for you. Should current guidance change prior to the date of the meeting, the guidelines in place at the time will be adhered to. **The scheduled times indicated above are suggested *arrival* times associated with each public hearing.**

If you are not able to attend the meeting due to COVID-19 precautions or restrictions, comments may be submitted (1) electronically, or (2) in writing, and will be accepted until 12:00 pm on July 22, 2020.

- (1) Electronically: ehjulstrom@nelsoncounty.org or dbishop@nelsoncounty.org
- (2) In Writing: Dept. of Planning & Zoning, P.O. Box 558, Lovingston, VA 22949

**NELSON COUNTY PLANNING COMMISSION
MEETING MINUTES
January 22, 2020**

Present: Chair Mary Kathryn Allen and Commissioners Mark Stapleton, Mike Harman, Chuck Amante, and Phil Proulx. Absent: Ernie Reed

Staff Present: Dylan Bishop, Director and Emily Hjulstrom, Secretary

Call to Order: Chair Allen called the meeting to order at 7:00 P. M. in the General District Courtroom, County Courthouse, Lovington.

Review of meeting minutes: October 23, 3019

Mr. Harman made a motion to approve. Ms. Proulx seconded the motion. The motion passed with a vote of 5-0.

Yes:

Mark Stapleton

Phil Proulx

Chuck Amante

Mike Harman

Mary Kathryn Allen

Review of meeting minutes: December 18, 2019

Mr. Harman made a motion to approve. Mr. Amante seconded the motion. The motion passed with a vote of 5-0.

Yes:

Mark Stapleton

Phil Proulx

Chuck Amante

Mike Harman

Draft: 1/22/2020
Mary Kathryn Allen

Officer Elections

Ms. Proulx nominated Mr. Stapleton to be Chair. Mr. Harman seconded the motion. The motion passed with a vote of 4-0-1

Yes:

Phil Proulx

Chuck Amante

Mike Harman

Mary Kathryn Allen

Abstain:

Mark Stapleton

Mr. Harman nominated Mr. Amante to be Vice Chair. Mr. Stapleton seconded the motion. The motion passed with a vote of 4-0-1.

Yes:

Mark Stapleton

Phil Proulx

Mike Harman

Mary Kathryn Allen

Abstain:

Chuck Amante

Mr. Harman nominated Ms. Hjulstrom for secretary. Mr. Stapleton seconded the motion. The motion passed with a vote of 5-0.

Draft: 1/22/2020

Yes:

Mark Stapleton

Phil Proulx

Chuck Amante

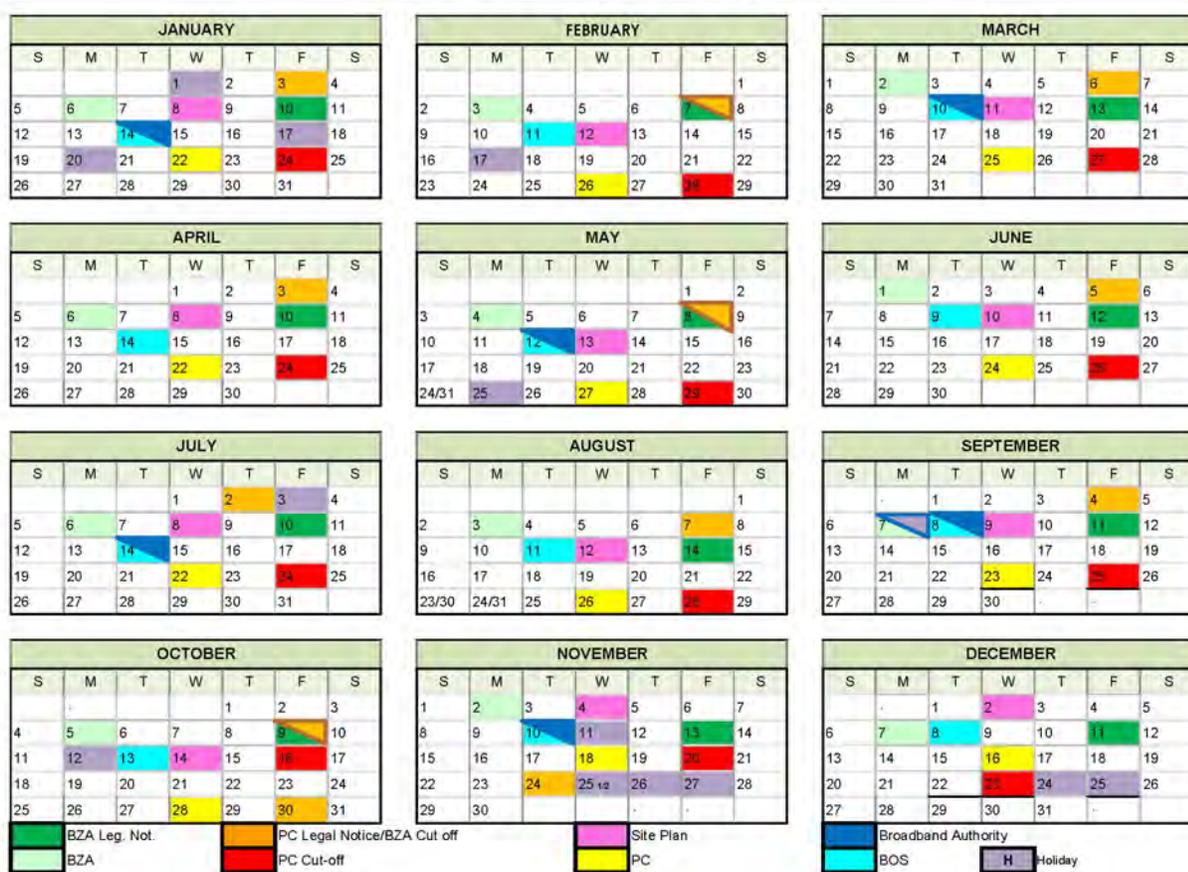
Mike Harman

Mary Kathryn Allen

Review of 2020 Schedule and February Meeting

Ms. Bishop presented the following information:

2020 Schedule



Ms. Bishop noted that she will be in Floodplain Manager Training for the entire last week of February. She asked the Planning Commission if they would like to change the meeting date to February 19th. The Planning

Draft: 1/22/2020

Commission decided to leave the date as is because it does not look like there are any new applications for the February meeting. Ms. Bishop recommended that they move the potential public hearing for nonconforming to March.

Discussion of Nonconforming Uses

Ms. Bishop read the following information:

**Nelson County
Planning Commission**

Memo

To: Planning Commission
From: Dylan M. Bishop, Director of Planning & Zoning
Date: January 22, 2020
Re: Article 11: Nonconforming Uses, Structures, & Lots

At the Planning Commission meeting on December 18, 2019, the initial draft of the nonconforming ordinance was reviewed. A flow chart was provided indicating:

- a "left lane" option, where a nonconforming structure after two years would be required to be demolished, relocated, or receive a variance, or;
- a "right lane" option, where after two years the nonconforming structure could be used for a permitted use in the zoning district in which it is located.

After some discussion, staff was directed to revise the draft ordinance to reflect the "left lane" option, with the one-time two-year extension provision added back in.

Since the meeting, staff has been asked to evaluate the option of a "center lane," where a nonconforming structure may be used only for the then existing or a more restricted use. State code Section 15.2-2307 provides:

"A zoning ordinance may provide that land, buildings, and structures and the uses thereof which do not conform to the zoning prescribed for the district in which they are situated may be continued only so long as the then existing or a more restricted use continues and such use is not discontinued for more than two years, and so long as the buildings or structures are maintained in their then structural condition..."

This allows nonconforming structures to be used for the existing grandfathered use or a more restricted use, as long as it is not discontinued for more than two years. One potential issue is "use creep," where a landowner obtains a determination that the proposed new use is less intensive but later evolves the use into something more intensive to get under the regulatory wire. Another drawback of this approach is that the Zoning Administrator is required to make a subjective judgement call as to what a "more restricted use" is.

One way to address this is to collaborate with the Building Official regarding intensity of uses. The statewide building code is very clear on what types of uses are more restrictive than others. This easily addresses nonconforming structures that are within the initial two-year period.

The question still remains... what should happen to a nonconforming structure after the use has been discontinued for more than two years? The current drafted option allows a nonconforming structure that has not been used in over two years to be used only for a more restricted use. This can be considered a "step-down" method, where if the property owner has not applied for an extension of grandfathering status and has passed the two-year mark, the structure cannot be used for the previous existing use, but only a more restricted use.

What happens when these discontinued structures are single-family dwellings, and cannot be more restricted than that? Because it is likely that the majority of nonconforming structures in the County are single-family dwellings, a solution to this is to indicate in the ordinance that the residential occupancy of a single-family dwelling is the most restricted use. This would allow the owner of a nonconforming single-family dwelling that has not been occupied in over two years, the opportunity to use the structure only as a single-family dwelling.

Another question that came up was whether the *same* owner must pay taxes for fifteen years in order to maintain nonconforming status. After conferring with the County Attorney, it was determined that the trigger is the payment of the taxes for fifteen years and not whether the ownership remains the same for fifteen years. This provision actually protects these structures from removal, which renders the original "left lane" option virtually toothless. Although these structures would not be required to be removed, nothing should preclude the property owner from seeking a variance to bring it into compliance, so this provision was added as well.

The one-time two-year extension request was added back into this draft as well, which would allow the property owner more time to establish the then existing or a more restricted use prior to expiration (total of four years).

Regarding the discussion of what "discontinued" actually means, any use of the structure must be allowable, either as an existing grandfathered use or other permitted use. Using the storage example from the previous meeting, if the storage was accessory to some permitted use on the property, it would be a use. However, storage alone without a primary permitted use would not constitute a "continued" use.

ARTICLE 11. NONCONFORMING USES, STRUCTURES, & LOTS

11-1-1 *Intent.* Any lot, use, or structure existing at the time of enactment of this Zoning Ordinance which does not conform to the provisions of this ordinance may be continued as herein provided. Such lots, uses, structures, or any combination thereof, are considered nonconformities, and are hereby declared by the Board of Supervisors to be inconsistent with the character of the districts in which they occur. The intent of this ordinance therefore is to permit these nonconformities to continue, but not to encourage their survival or permit their uses as grounds for adding other structures or uses prohibited elsewhere within the same district.

11-1-2 *Nonconforming Lots.* Any lot of record at the time of the adoption of this ordinance which is less in area or width than the minimum required by this ordinance, may be used when the requirements of the Zoning Ordinance regarding front, side and rear yard setbacks are met. The required area for permitted uses utilizing individual water supply or sewage disposal, or both, must be approved by the Health Department. This subsection does not preclude the request for, and consideration of, a variance.

11-1-3 *Nonconforming Structures.*

- A. Buildings or structures which do not conform to the zoning prescribed for the district in which they are situated may be used only (i) so long as the then existing or a permitted more restricted use continues and such use is not discontinued for more than two years and (ii) so long as the buildings or structures are maintained in their then structural condition.
- B. In the event that the use of a nonconforming building or structure is discontinued for more than two years, then the building or structure may be used only (i) so long as a permitted more restricted use continues and (ii) so long as the buildings or structures are maintained in their then structural condition.
- C. No building or structure shall be enlarged in any way which increases or extends its nonconformity.
- D. Any nonconforming building or structure which is moved for any reason shall thereafter conform to the regulations of the zoning district in which it is located after it is moved.
- E. Notwithstanding any provision hereof to the contrary, if (i) the County government has issued a building permit, the building or structure was thereafter constructed in accordance with the building permit, and upon completion of construction, the County issued a certificate of occupancy or a use permit therefor, or (ii) the owner of the building or structure has paid taxes to the County for such building or structure for a period of more than the previous 15 years, then such building or structure is legal and not subject to removal solely due to such nonconformity. Such building or structure shall be nonconforming.
- F. If the County has issued a permit, other than a building permit, that authorized construction of an improvement to real property and the improvement was thereafter constructed in accordance with such permit, then such improvements, if nonconforming, are not illegal. If the structure is one that requires no permit, and an authorized County

official informs the property owner that the structure will comply with the zoning ordinance, and the improvement was thereafter constructed, then the structure, if nonconforming, shall not be deemed illegal and subject to removal solely due to such nonconformity. In any proceeding when the authorized government official is deceased or is otherwise unavailable to testify, uncorroborated testimony of the oral statement of such official shall not be sufficient evidence to prove that the authorized government official made such statement.

G. The owner of any residential or commercial building damaged or destroyed by a natural disaster or other act of God may repair, rebuild, or replace such building to eliminate or reduce the nonconforming features to the extent possible, without the need to obtain a variance. If such building is damaged greater than 50 percent and cannot be repaired, rebuilt or replaced except to restore it to its original nonconforming condition, the owner shall have the right to do so. The owner shall apply for a building permit and any work done to repair, rebuild or replace such building shall be in compliance with the provisions of the Uniform Statewide Building Code and any work done to repair, rebuild or replace such building shall be in compliance with the provisions of the County's flood plain regulations adopted as a condition of participation in the National Flood Insurance Program. Unless such building is repaired, rebuilt or replaced within two years of the date of the natural disaster or other act of God, such building shall only be repaired, rebuilt or replaced in accordance with the provisions of the County's Zoning Ordinance. However, if the nonconforming building is in an area under a federal disaster declaration and the building has been damaged or destroyed as a direct result of conditions that gave rise to the declaration, then an additional two years are allowed for the building to be repaired, rebuilt or replaced as otherwise provided in this paragraph. For purposes of this section, "act of God" shall include any natural disaster or phenomena including a hurricane, tornado, storm, flood, high water, wind-driven water, tidal wave, earthquake or fire caused by lightning or wildfire. For purposes of this section, owners of property damaged by an accidental fire have the same rights to rebuild such property as if it were damaged by an act of God.

H. An owner of real property shall be permitted to replace an existing on-site sewage system for any existing building in the same general location on the property even if a new on-site sewage system would not otherwise be permitted in that location, unless access to a public sanitary sewer is available to the property. If access to a sanitary sewer system is available, then the connection to such system shall be required. Any new on-site system shall be installed in compliance with applicable regulations of the Department of Health in effect at the time of the installation.

I. As provided in Section 15.2-2307(H), Code of Virginia, 1950, as amended, nothing in this section shall be construed to prevent the land owner or home owner from removing a valid nonconforming manufactured home from a mobile home park and replacing that home with another comparable manufactured home that meets the current HUD manufactured housing code. In such mobile home park, a single-section home may replace a single-section home and a multi-section home may replace a multi-section home. The owner of a valid nonconforming manufactured home not located in a mobile home park may replace that home with a newer manufactured home, either single- or multi-section, that meets the current HUD manufacturing housing code. Any such replacement home shall retain the valid nonconforming status of the prior home.

J. The property owner shall have the right to seek a variance in order to bring a nonconforming structure or building into compliance.

11-1-4 *Nonconforming Uses.* Where a lawful use of land exists at the time of enactment of the Zoning Ordinance or any amendment thereto that would not be permitted under the ordinance, such use may continue, as long as it remains otherwise lawful, subject to the following provisions:

A. A nonconforming use may be expanded or enlarged no more than fifty (50) percent of the area occupied by such use at the time of passage of this ordinance and further provided that such expansion is permitted only on such parcel or in such building or structure which existed at the time of the passage of the Zoning Ordinance, and shall conform with the provisions of this ordinance and the Uniform Statewide Building Code.

B. In the event that such use ceases for any reason for a period of more than two years, any subsequent use shall conform in all respects to the zoning district in which the land is located.

C. No additional structures not conforming to this ordinance shall be constructed in connection with such nonconforming use.

D. If a use does not conform to the zoning prescribed for the district in which such is situated, and if (i) a business license was issued by the County for such use and (ii) the holder of such business license has operated continuously in the same location for at least 15 years and has paid all local taxes related to such use, the holder of such business license may apply for a rezoning or a special use permit without charge by the County or any agency thereof for fees associated with such filing.

E. If any nonconforming use is discontinued for a period exceeding two (2) years after the enactment of this ordinance, it shall conform to the requirements of this ordinance, except that, when a written notice of intent to continue the use after the expiration of the two-year period shall be submitted by the owner of the property before the two-year discontinuance period shall expire, which notice shall state that the use will be continued within the next two-year period, the nonconforming use may continue for an additional two (2) years. The additional two-year discontinuance period permitted by this subsection may neither be extended nor renewed.

F. Residential occupancy of a single-family dwelling is the most restrictive use when determining level of intensity.

11-1-5 *Changes in district boundaries.* Whenever the boundaries of a district are changed, any uses of land or any buildings or structures which become nonconforming as a result of such change shall become subject to the provisions of this article.

Draft: 1/22/2020

Mr. Stapleton asked if this was her effort and or recommendation. Ms. Bishop noted that it was both and that she has worked with the County Attorney to bring them her best recommendation.

Ms. Proulx asked if it was the nonconforming use or structure that they were talking about under 11-1-4-a. Ms. Bishop noted that this would be for the physical area of the nonconforming use within an existing building. Mr. Amante noted that he did not see anything wrong with leaving it in but questioned whether it was necessary. He added that the intention of the ordinance was to discourage nonconformities and to not allow them to expand. Ms. Proulx and Mr. Harman agreed. Ms. Allen asked if there was a good example of a use that should not be able to expand within an existing building. Ms. Allen mentioned the Special Use Permit for a brewery that the Board had recently approved where the applicant was limited to a certain amount of space he could use inside the structure.

Ms. Allen noted that under this description they would not be able to increase the size of the building at all, just the use within an existing structure. Mr. Amante noted that the building might not be nonconforming, but it would be a use that is nonconforming. Ms. Allen noted that some people have been there many years and have established businesses.

Mr. Stapleton asked what an owner would be able to do with an existing nonconforming use if they removed this proposed section. Ms. Bishop noted that they would not be able to ask for a variance. Ms. Allen noted that she did not want to punish people and businesses that were grandfathered in.

It was noted that the Planning Commission and staff weren't aware of a situation in which a non-conforming use was grandfathered in and existing within part of a conforming building. Ms. Bishop noted that they might see this situation in something that is not in a building, like a car lot, campgrounds, golf course, etc. Ms. Allen added that when this goes to a public hearing the Planning Commission will have a chance to hear from the public.

Ms. Allen asked that if there were a nonconforming house, could they build a deck up to 50% of the size of the original house. Ms. Bishop explained that as long as the new construction was not additionally nonconforming. Ms. Hjulstrom noted that often people come in that want to build a deck off the front of the house but can't because that would violate setbacks but they can off the back of the house. She noted that in cases like her own house, the entire house is already in the 75' setback and can't be added onto at all without a variance.

Ms. Allen asked what would happen if she bought an old nonconforming store that had not been a functioning store for more than two years. Ms. Bishop noted that she could use it for a more restrictive use or Rezone/get a Special Use Permit as applicable.

The Planning Commission asked that Ms. Bishop to make the language in 11-1-4-a similar to that under nonconforming buildings. They also chose to go with the center lane that was presented to them by Ms. Bishop.

Discussion of Comprehensive Plan Update

Ms. Bishop explained that she has to start working on drafting the request for proposal. She asked the Planning Commission to review the state code and to tell her what they want to prioritize and include in the upcoming Comprehensive Plan. She also asked them to give her feedback on how much of the plan they would like to update. Mr. Stapleton asked Ms. Bishop to send them a few sentences outlining the feedback she would like from the Planning Commission.

Ms. Allen noted that there are citizens in different parts of the county that want different things and that the politics in the county want something else as well. She noted that business can't be encouraged in Colleen if there is no infrastructure there. Ms. Allen noted that they need to identify where there are parcels that have at least five acres of flat land not being used for other uses so that they can identify where to encourage solar infrastructure.

Ms. Allen asked if there was a way that they could sit down with the Board of Supervisors to make sure that they are on the same page for their vision of the county. Ms. Bishop noted that she can look into setting up a work session. Ms. Proulx noted that she would like a moderator to help facilitate the discussion. Mr. Amante mentioned an older VDOT project for possibly expanding Route 29 in the future.

Ms. Bishop noted that she will work on drafting the Request for Proposal with the Planning Commission's input.

Discussion of Zoning of Undesignated Property

Ms. Bishop presented the following information:

**Nelson County
Planning Commission**

Memo

To: Planning Commission
From: Dylan M. Bishop, Director of Planning & Zoning
Date: January 22, 2020
Re: Zoning of Undesignated Property

Due to previous railroad ownership of the attached property, located on Gladstone Road, this lot does not currently have a zoning district designation. Recently, the Friends of Gladstone Depot, a nonprofit entity, purchased the property from CSX Corporation. Now that the railroad no longer has affiliation with this lot, it is necessary that the Planning Commission initiate the zoning process to zone the property accordingly. The planned future use of the property is primarily a community center, with a transportation museum. These are permitted by-right uses in the B-1 Business zoning district. Staff believes this is the appropriate zoning designation due to the proposed uses, and the location and proximity to additional B-1 zoning. This area is not addressed on the current Comp Plan's Future Land Use Map. Should PC initiate the zoning process and direct staff to schedule a public hearing on the matter, staff would follow the appropriate regulations regarding hearings and notices provided by state code.

Draft: 1/22/2020

Ms. Allen noted that she had helped with some of the grant writing for this project because it is in her community. She explained that this had been acting as a community center and that the community hoped to be able to move the building to the undesignated lot because it is too close to the railroad tracks.

Ms. Allen made a motion that the zoning of the undesignated property be brought to public hearing. Mr. Harman seconded the motion. The motion was passed with a vote of 5-0.

Yes:

Mark Stapleton

Phil Proulx

Chuck Amante

Mike Harman

Mary Kathryn Allen

Adjournment:

Mr. Harman made a motion to adjourn the meeting at 8:17 pm. Mr. Amante seconded the motion. The motion was passed with a vote of 5-0.

Yes:

Mark Stapleton

Phil Proulx

Chuck Amante

Mike Harman

Mary Kathryn Allen

Respectfully submitted,

Draft: 1/22/2020

A handwritten signature in blue ink, appearing to be 'Emily Hjulstrom', with a long horizontal flourish extending to the right.

Emily Hjulstrom

Secretary, Planning & Zoning

Nelson County Planning Commission

To: Planning Commission

From: Dylan M. Bishop, Director of Planning & Zoning *DMB*

Date: July 22, 2020

Re: Class C Tower Permit #2020-01 – Verizon – 571 Phoenix Road, Arrington

BACKGROUND: This is a request for a Class C Communications Tower with modifications on property zoned A-1, Agricultural in accordance with §4-1-22 and §20-13 of the Zoning Ordinance.

Public Hearings Scheduled: P/C – July 22, 2020; Board – August 11, 2020 (tentative)

Location / Election District: 571 Phoenix Road, Arrington / South Election District

Tax Map Number(s) / Total acreage: 77-A-137B / 37.2 acres +/- total, 10,000 square foot lease area.

Applicant Contact Information: Euan Fuller, Cellco Partnership d/b/a Verizon Wireless agent, 1111 E Main Street, Suite 1905, Richmond, VA 23219; 804-510-6888; efuller@bci-mail.com.

Owner Contact Information: Michael W. Reese, P.O. Box 64, Arrington, VA 22922

Comments: The requested use is for a 195' galvanized steel monopole communications tower with a 4-foot lightning rod. The balloon test at the site was held on March 19th at 9:00am. Photo simulations provided by the applicant are attached with this report.

The applicants are requesting the following modifications in accordance with §20-20:

- **Height:** The maximum allowable height for a Class C Tower is 130 feet. The proposed tower is 195 feet in height, with a 4-foot lightning rod.
- **Fall Area:** The minimum distance from the tower's base to the property line is required to be 110% of the tower height for a metal monopole. The proposed fall zone is 120 feet from the base of the tower, and the proposed setback is approximately 124 feet from the nearest property line.

The applicant has provided a Project Narrative, which discusses consistency with the Comprehensive Plan and outlines the justifications for the modifications requested.

DISCUSSION:

Land Use / Floodplain: This area is agricultural and residential in nature. The property does not fall within any 100-year flood plains.

Access and Traffic: There is a proposed 20' wide access/utility easement running from Phoenix Road to the lease area where the tower will be located. A VDOT low volume commercial entrance will be required.

Antennas: The monopole will be designed to support three antenna arrays installed in accordance with ordinance requirements.

Color: The applicant has proposed that the galvanized steel of the tower will reflect the backdrop of the sky.

Conditions: The final approving authority for this request is the Board of Supervisors. The ordinance states that the final approving authority shall approve the color of the tower and may impose other conditions upon approval. The Planning Commission may make recommendations to the Board of Supervisors regarding proposed conditions.

Comprehensive Plan: This area is not identified on the Future Land Use Map other than the generalized "Rural and Farming" designation, as is much of the County. The current Comprehensive Plan does not address communications towers/infrastructure. The application meets the guidelines established in §20-2 of the Zoning Ordinance outlining the purpose of the Communications Tower Ordinance including the importance of protecting the scenic nature of the County.

RECOMMENDATION: Should the Planning Commission recommend approval of this request, staff recommends the following conditions/modifications:

1. The tower shall be constructed according to the final approved site plan.
2. Allowed modification for height requirement of 195 feet, with 4-foot lightning rod.
3. Allowed modification for fall area setback of 120 feet.

Attachments:

Application
Narrative
Supporting Documentation
Site Plan
Photo Simulations from Balloon Test
Zoning Map
Comments



PERMIT APPLICATION:

Nelson County Department of Planning & Zoning

TO THE ZONING ADMINISTRATOR: Class C - Communication Tower # 2020-01
application type application number

1. The undersigned hereby petitions the Planning Commission and/or Board of Supervisors for approval of the following (check appropriate box):

- | | |
|---|--|
| <input type="checkbox"/> Rezoning from _____ to _____ | <input type="checkbox"/> Conditional Rezoning from _____ to _____ |
| <input type="checkbox"/> Subdivision – Preliminary | <input type="checkbox"/> Site Plan – Preliminary (optional) |
| <input type="checkbox"/> Subdivision – Final | <input type="checkbox"/> Site Plan – Final |
| <input type="checkbox"/> Major Site Plan | <input type="checkbox"/> Special Use Permit |
| <input type="checkbox"/> Minor Site Plan | <input checked="" type="checkbox"/> Other: <u>Class C Tower Permit</u> |

- Pursuant to Article 20, Section 13 of the Nelson County Zoning Ordinance.
 Pursuant to Section _____, Subsection _____ of the Nelson County Subdivision Ordinance.

Reason(s) for request: To allow the construction of a new 199' monopole cell tower (Class C Communication Facility). For further details, please see the attached project narrative for further details including requested modifications

(Please use reverse or attach additional sheet if more space is needed.)

2. Applicant(s) and Property Owner(s):

(Please provide names of applicants and property owners and indicate applicable title; if applicant is not the property owner, please show relationship, i.e. lessee, contract purchaser, etc.)

Applicant Property Owner Name: Euan Fuller (Cellco Partnership d/b/a Verizon Wireless agent)
Mailing Address: 1111 E Main St, Suite 1905, Richmond, VA 23219
Telephone # 804-510-6888 E-mail Address: efuller@bci-mail.com
Relationship (if applicable): Applicant agent for Verizon Wireless, lease holder with Property Owner

Applicant Property Owner Name: Michael W. Reese
Mailing Address: P.O. Box 64, Arrington, VA 22922
Telephone # See above E-mail Address: See above
Relationship (if applicable): Property Owner and Lessor

(Please attach additional sheet if more space is needed for applicant(s) / property owner(s) info.)

3. Location and Characteristics of Subject Property:

- a. Address of property (specific location, route numbers, street names, voting district, etc.):
571 Phoenix Road, Arrington, VA 22922
- b. Official tax map number: 77 A 137B
- c. Acreage of property: 37.20 +/- acres
- d. Present use: Agricultural
- e. Present zoning classification: A-1
- f. Zoning classification of surrounding properties: A-1 (Agricultural District) and R-1 (Residential)

4. Names of Adjacent Property Owners: See attached with this application from the Nelson County GIS application.

5. Affidavit: The undersigned applicant(s) and/or property owner(s) certifies that this application and the foregoing answers, statements, and other information herewith submitted are, in all respects, true and correct to the best of their knowledge and belief. Also, the applicant(s) and/or property owner(s) gives permission for members of the Planning Commission, Board of Supervisors, and County Staff to visit and view the subject property.

Signature:  Printed Name: Euan Fuller
 Signature:  Printed Name: MICHAEL REESE

(Please attach additional sheet if more space is needed for applicant(s) / property owner(s) signatures.)

6. Additional information: *(Please attach separate sheet for additional details, explanations, etc.)*

7. Please note: In the event of cancellation or postponement at your request after the initial newspaper advertisement for this application, an additional fee will apply for re-advertisement (determined by the actual cost of the ad). This fee will not apply in cases of Planning Commission or Board of Supervisors deferment.

..... **TO BE COMPLETED BY PLANNING & ZONING STAFF**

- Completed application and fee (\$ 2000) received on 2/27/20
- Hearing Notice published on _____
- Planning Commission action: Date of Meeting / Hearing: _____
Recommendation: _____
- Board of Supervisors action: Date of Hearing: _____ Date of Decision: _____
Action: _____

Nelson County
Department of Planning and Zoning
P.O. Box 558
Lovingsston, VA 22949

25th February 2020

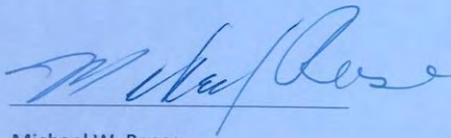
**RE: Verizon Wireless – "Arrington" / Reese Property / Tax Map ID # 77 A 137B Class C
Communication Tower Application**

To whom it may concern:

Please allow this letter to confirm that, as the owner of the parcel currently addressed as 571 Phoenix Road and identified as Tax Map Number 77 A 137B in Arrington, Nelson County, Virginia, do hereby authorize CELLCO PARTNERSHIP d/b/a Verizon and/or its consultant(s) with the authority to file all applications and act as agent(s) for the purpose of obtaining all governmental approvals necessary to install and construct a Communications Facility consisting of a tower, antennas and supporting equipment on our property.

In these duties, Verizon will also be responsible for making any representations necessary during any public hearings and other meetings for zoning, site plan, and building permit application and review processes as required to secure such approvals for this facility.

Sincerely,



Michael W. Reese

P.O. Box 64

Arrington, VA 22922

January 29, 2020

To whom it may concern:

CELLCO PARTNERSHIP d/b/a VERIZON WIRELESS ("Verizon Wireless") has contracted Bamman Consulting ("BCI") to support it in upgrades to its wireless service. BCI is authorized to represent Verizon Wireless, acting as its agent, to our Landlords and to the municipal jurisdictions in which our sites are located.

It is Verizon Wireless' intent to construct and utilize a new cell tower on the property located at 571 Phoenix Road, Arrington, VA 22922. Verizon Wireless will construct and operate this facility in strict compliance with FCC and other regulations as appropriate.

Should you have any questions about this matter, please feel to contact Linda French at 804-543-7560 or linda.french@verizonwireless.com.

Verizon Wireless is looking forward to continuing its various business relationships and providing enhanced coverage within its wireless network.

Yours sincerely,



Linda French
Engr III Specialist – Real Estate/Regulatory

Parcel Address	Owner	Parcel ID
810 VARIETY MILLS ROAD	WEAVER AFREAD H JR & KATHY J	77 A 134A
395 N. POWELLS ISLAND ROAD	HARLOW WILLIAM C &	77 9 5
385 N. POWELLS ISLAND ROAD	METZ WENDY	77 9 4
289 N. POWELLS ISLAND ROAD	STEVENS KENNETH D & DORIS	77 9 3
N/A	MARTIN JAMES T	77 9 2
N/A	N/A	77 A 137C
267 VARIETY MILLS ROAD	WHITE WALTER & YVETTE D	77 A 123
N/A	KELLY RHONDA	77 A 102
463 PHOENIX RD	HODGSON MICHAEL A & CLARICE L	77 A 137A
634 VARIETY MILLS ROAD	MILES LYNETTE	77 A 132
787 PHOENIX ROAD	NELSON COUNTY COMMUNITY DEV	77 9 1A

APPLICANT NARRATIVE

SITE NAME: Arrington

Proposal:

Cellco Partnership d/b/a Verizon Wireless (t/a “Verizon Wireless”) (the “Applicant”) requests a Class C Communication Tower Facility (the “Facility”) in order to construct and operate a 195-foot steel monopole telecommunications tower, with the top of all appurtenances extending to 199-feet, on a 37.20± acre parcel with current address 571 Phoenix Road, Arrington and identified as Parcel ID: 77 A 137B (the “Property”). Verizon Wireless is licensed by the Federal Communications Commission to provide wireless communications services throughout Nelson County (the “County”). Verizon Wireless needs to improve the network in the area surrounding the proposed site as the demand for wireless service continually grows and places increasingly greater strain on the surrounding network sites. In addition, this site will improve the wireless footprint throughout the County. The network of sites is largely based on the use of existing towers and tall structures built by Verizon Wireless, other carriers and tower companies.

The Applicant is proposing to locate the monopole and associated ground equipment within a 50’ x 50’ fenced compound (100’ x 100’ lease area). The fenced compound area will be located in trees towards the rear of the Property away from Phoenix Road. Additional screening around the compound area will be placed in accordance with the local ordinance as applicable. The proposed monopole will have an overall height of 199 feet (195 feet steel monopole with four-foot lightning rod). The monopole will be made of galvanized steel and it will accommodate at least three (3) users (Verizon Wireless and two (2) others). The facility will be unmanned and will be visited occasionally by technicians to conduct routine checks and maintenance. The facility will not emit any odor, fumes or glare. The noises emitted from the equipment on the ground will not be any louder than normal residential HVAC equipment. Therefore, the impact on surrounding properties resulting from this passive use will be minimal.

Purpose of Proposed New Wireless Facility:

Verizon Wireless is in the process of enhancing the coverage and capacity of its wireless telecommunications network in Nelson County by constructing new wireless communications facilities in areas where coverage is lacking or inadequate and co-location opportunities do not exist.

The proposed tower will achieve the following:

- Improve Verizon Wireless’ existing network by providing seamless coverage in the area;
- Support the latest wireless technologies (voice and data);
- Provide coverage to the following:
 - Those living in nearby residences;
 - Those traveling on nearby roads;
 - Provide additional coverage for tourists within the vicinity;



- Provide multiple co-location positions for other wireless carriers to expand their networks;
- Emergency personnel operating in the area.

Consistency with Comprehensive Plan:

The proposed tower will align with the following goals of the Nelson County Comprehensive Plan as follows:

Goals – Economic Development:

- Enhance the quality of life for Nelson County residents by maintaining and encouraging a diverse and vibrant local economy in designated development areas and compatible with the county's size and rural character.
- Seek to have new residential development support the additional county costs associated with the development.
- Support and encourage tourism as a viable means to diversify the local economy.
- Recognize the importance of the county's agricultural economy as an integral part of Nelson's economic heritage and as an important part of the current economy.

Reliable wireless voice and internet services are important for local businesses, both within places of business and for internet communications and sales and payment systems. Many residents desire to work from home or work in the field and need reliable internet and voice services. Tourists expect to have good cell service when visiting Nelson County's many scenic attractions, farms and orchards, breweries, cideries, wineries, and distilleries. New residents to the County or those seeking to relocate within the County look for good wireless service in areas in which they wish to live.

Goals – Education:

- Support the educational needs of all Nelson's citizens as a means of preparing for their future roles as workers, citizens, and parents.

Students need reliable wireless internet for communicating with teachers and classmates, accessing homework assignments, researching, and submitting homework assignments.

Goals – Public and Human Services:

- Promote an equitable level of public services – fire protection, rescue services, crime protection and prevention – to all county residents.
- Encourage access to a full range of quality health care facilities and programs for all county residents.



Robust wireless internet is a necessity today as over 52% of Americans have discontinued their use of wireline telephones and over 75% of 911 calls are made from wireless devices. Fire and rescue workers rely on wireless communications as well. Many health care applications today use internet and wireless devices to monitor, report, and log health care statistics.

Goals – Recreation:

- Promote a diversity of recreational opportunities for Nelson’s citizens and for those who visit the county as tourists.

Good wireless services are necessary to serve the many tourists visiting the County. In addition to the health and safety issues mentioned above, tourists expect to be able to upload photographs to social media websites and to email and text them to friends and family.

In summary, reliable wireless service is a necessity for residents, students, businesses and emergency personnel. The proposed tower will provide the infrastructure needed for Verizon Wireless, as well as the opportunity for multiple other wireless carriers, to expand and improve their networks in this area of Nelson County. This reliable wireless service will enhance the local economy and complement economic development by helping businesses to be more effective and efficient in their everyday operations, providing citizens the opportunity to work, study and shop from home as well as improving service for those traveling in the vicinity.

Zoning Ordinance Requirements

The subject property is zoned Agricultural (A-1). In accordance with Article 4, section 4-1-22 of the zoning ordinance, communication towers are permitted in the A-1 zoning district by right subject to Article 20, Communication Tower Ordinance. Article 20 of the zoning ordinance regulates telecommunications antennas and towers. The applicable requirements in this section are as follows:

ARTICLE 20. - COMMUNICATION TOWERS

20-1

Title.

This section shall be known as the Communications Tower Ordinance of Nelson County, Virginia.

(Ord. No. O2014-01, 3-11-14)

20-2

Purpose.

The purpose of this Article is to establish a clear guideline for siting all types of communication towers in Nelson County so as to:

20-2-1

Protect the health, safety, and general welfare of residents and visitors in Nelson County.



20-2-2

Avoid potential damage to adjacent properties from Communication Tower failure including but not limited to excessive wind or ice, and falling ice or debris.

20-2-3

Minimize potential hazards from Communication Towers to private aircraft, low-flying law enforcement and medical aircraft, and helicopters.

20-2-4

Maximize the use of existing Communication Towers to reduce the collective number of towers required in Nelson County for all varieties, types, and forms of wireless service.

20-2-5

Regulate the placement, appearance, and construction of all varieties, forms, and types of Communications Towers.

20-2-6

Restrict the location of communication towers that adversely impact the natural beauty of the mountains in Nelson County.

20-2-7

Protect the view from the Blue Ridge Parkway, Appalachian National Scenic Trail, and along designated Virginia Scenic Byways.

20-2-8

Protect the University of Virginia's observatory on Fan Mountain from light pollution.

20-2-9

Promote and facilitate the availability of wireless telecommunication services to Nelson County citizens, businesses, and visitors, in support of advancing educational goals, attaining and maintaining a strong rural economy, and providing law enforcement and emergency services.

(Ord. No. O2014-01, 3-11-14)

20-3

Jurisdiction.

This ordinance shall apply to all areas of unincorporated Nelson County.

(Ord. No. O2014-01, 3-11-14)

20-4

Definitions.

For the purposes of this Article, the following definitions are provided:

ANSI: American National Standards Institute.

Antenna: Any apparatus or device used for the purpose of collecting or transmitting electromagnetic waves, including, but not limited to, directional antennas, such as panels, microwave dishes and satellite



dishes, and omni-directional antennas, such as whip antennas. Antennas for receiving broadcast signals only for non-commercial use and antennas for licensed amateur radio operators and citizens band operators are excluded from this definition.

Antenna array: An orderly arrangement of antennas mounted at the same height on a tower or other structure and intended to transmit a signal providing coverage over a specific area.

Base station: The wireless service provider's specific equipment used to transmit and receive radio signals within and including cabinets, shelters, pedestals or similar enclosures generally used to contain electronic equipment for said purpose.

Class A Personal Wireless Services: As defined in Section 20-6 of this Article.

Class B Communication Tower: A communication tower which is equal to or greater than forty (40) feet in tower height and which is less than or equal to one hundred (100) feet in tower height located in a Conservation District, C-1; Agricultural District, A-1; Service Enterprise District, SE-1; Business, B-1; Business, B-2; Industrial, M-1; or Industrial, M-2 zoning districts.

Class C Communication Tower: Any communication tower located in a Residential, R-1; Residential, R-2; or Residential Planned Community, (RPC) District; or any communication tower in any district that is greater than one hundred (100) feet in tower height, to a maximum allowed height of one hundred thirty (130) feet; or any communication tower within three hundred (300) feet of an occupied dwelling, provided however, if the owners of all such occupied dwellings affirm in writing to the applicant that they have no objection to the proposed tower, then this final clause shall not, standing alone, cause the proposed communication tower to proceed as a Class C communication tower application. A communication tower greater than one hundred (100) feet in tower height is a telecommunications facility for purposes of state law.

The tower proposed can be defined as a Class C Communication Tower with respect to the aforementioned definition.

Co-location: The practice of installing and operating multiple wireless carriers, service providers, and/or radio common carrier licensees on the same antenna support structure or attached wireless communication facility using different and separate antennas, feed lines, and radio frequency generating equipment.

Complete application: Is an application that has been filed in the correct form in the proper office accompanied by the appropriate fee and all information required by this Article.

EIA: Electronic Industries Association.

Existing vegetative canopy: The existing vegetative plants, trees, or shrubs at the site-specific location of the proposed communication tower site that will provide natural camouflage, concealment, or otherwise hide the communication tower after its construction.

Existing structure: A lawfully constructed or established structure but excluding (i) existing Communication Towers and (ii) flagpoles.

Feed lines: Cables used as the interconnecting media between the transmission/receiving base station and the antenna.



Final approving authority: The Nelson County Planning and Zoning Director or the Board of Supervisors, as designated in this Article.

Least visually obtrusive profile: The design of a wireless communication facility intended to present a visual profile that is the minimum necessary for the facility to function properly.

Mountain ridge: A ridge with an elevation of one thousand (1,000) feet or higher above mean sea level and an elevation three hundred (300) feet or more above the elevation of an adjacent valley floor.

Personal wireless services: Commercial mobile services, unlicensed wireless services, common wireless exchange access services, and unlicensed wireless broadband internet access.

Structure: Anything constructed or erected, the use of which required permanent location on the ground, or attachment to something having a permanent location on the ground. Fences are excluded from this definition.

Substantial increase in the size of a previously approved Communication Tower:

- (i) The mounting of the proposed antenna on the tower would increase the existing height of the tower by more than ten (10) percent, or by the height of one (1) additional antenna array with separation from the nearest existing antenna not to exceed twenty (20) feet, whichever is greater, except that the mounting of the proposed antenna may exceed the size limits set forth in this paragraph if necessary to avoid interference with existing antennas;
- (ii) The mounting of the proposed antenna would involve the installation of more than the standard number of new equipment cabinets for the technology involved, not to exceed four (4), or more than one (1) new equipment shelter;
- (iii) The mounting of the proposed antenna would involve adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than twenty (20) feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater, except that the mounting of the proposed antenna may exceed the size limits set forth in this paragraph if necessary to shelter the antenna from inclement weather or to connect the antenna to the tower via cable; or
- (iv) The mounting of the proposed antenna would involve excavation outside the current tower site, defined as the current boundaries of the leased or owned property surrounding the tower and any access or utility easements currently related to the site.

Telecommunication tower, communication tower: Any tower or structure, natural or manmade, existing or erected, used to support one (1) or more antennas, including self-supporting lattice towers, guyed towers, or monopoles. This term includes radio and television transmission towers, broadband towers, microwave towers, common carrier towers, wireless telephone towers, alternative tower structures and the like.

Temporary tower: A telecommunication tower, not exceeding one hundred (100) feet in height, erected for a duration not to exceed thirty (30) days, located in a Conservation District, C-1; Agricultural District, A-1; Service Enterprise District, SE-1; Business, B-1; Business, B-2; Industrial, M-1; or Industrial, M-2

zoning district. The duration of a temporary tower may be extended by the Planning and Zoning Director for an additional thirty (30) days if necessary, to facilitate the intended use of the tower.

Tower height: The vertical distance from the finished grade to the uppermost point of a communication tower including any antenna, beacon, light, lightning rod, or other fixtures attached to the communication tower. In the event an antenna is attached to a structure, the height of the structure shall be included in the tower height.

Tower site: The real property, which an applicant(s) is required to have ownership of, leasehold of, interest in, easement over, or any combination of the aforementioned to locate a communication tower and any auxiliary buildings.

Unlicensed wireless service: The offering of telecommunication services using duly authorized devices which do not require individual licenses from the Federal Communications Commission, but does not mean the provision of direct-to-home satellite services. This service is sometimes referred to "license-exempt." Users of the license-exempt bands do not have exclusive use of the spectrum and are subject to interference.

Viewshed (1) National Park System: An unobstructed sight or the range of one's sight while traveling, visiting, driving or otherwise, using the natural or manmade resources of the Blue Ridge Parkway (BRP) or Appalachian National Scenic Trail (AT). For the purposes of this ordinance, the viewshed distance is a minimum of one (1) air mile from the outermost boundary line of the National Park System unit.

Viewshed (2) Virginia Scenic Byway: An unobstructed sight or the range of one's sight while traveling, visiting, or driving along a highway that has been designated by the State of Virginia as a Scenic Byway.

(Ord. No. O2014-01, 3-11-14)

20-5

Telecommunication facility categories.

- A. Class A Personal Wireless Services must comply with Section 20-6.
- B. A Class B Communication Tower requires approval by the Planning and Zoning Director and the issuance of a Class B Communication Tower Permit. For such applications, the Planning and Zoning Director shall be the Final Approving Authority.
- C. A Class C Communication Tower requires approval by the Board of Supervisors and the issuance of a Class C Communication Tower Permit. For such applications, the Board of Supervisors shall be the Final Approving Authority.
- D. Qualifying Permit Amendments and Temporary Tower Permits require approval by the Planning and Zoning Director.
- E. Any antenna used exclusively for non-profit, non-broadcast, and non-commercial applications including, but not limited to, residential broadcast reception, amateur radio, citizens band radio, and public safety, local government, fire, rescue, police, and non-profit medical radio services is exempt from the requirements of this Article.

(Ord. No. O2014-01, 3-11-14)

20-6

Class A personal wireless service facilities. [NOT APPLICABLE]

20-12

Application and procedure for approval of a Class B Communication Tower Permit.

- A. Application form. A Complete Application form, signed by the property owner(s), the property owner's agent or the contract purchaser, and the proposed facility's owner. If the owner's agent signs the application, he shall also submit written evidence of the existence and scope of the agency. If the contract purchaser signs the application, he shall also submit the owner's written consent to the application.

See attached with this application

- B. Property description. A recorded plat or recorded boundary survey of the parcel on which the facility will be located, provided that, if neither a recorded plat nor boundary survey exists, a copy of the legal description of the parcel and the Nelson County Circuit Court deed book and page number.

See attached survey and zoning drawings with this application

- C. Plans and drawings. A scaled plan and a scaled elevation view and other supporting drawings, calculations, and other documentation required by the Planning and Zoning Director, signed and sealed by an appropriate licensed professional. The plans and supporting drawings, calculations and documentation shall show:
 1. A design plan showing the communication tower, base, and the foundations for all support structures, all proposed auxiliary buildings and other proposed improvements, and the methods by which antennas shall be located on the proposed communication tower. Metal communication towers shall meet all requirements of federal, state, and local government regulations and EIA and ANSI standards. The Nelson County Building Official may request, at the applicant's expense, an independent engineer to confirm the safety of the tower.

See attached zoning drawings with this application, further information as appropriate will be provided in due course during building permit submittal.

2. The utility connections within and to the proposed site.

See attached zoning drawings with this application, further information as appropriate will be provided in due course during building permit submittal.

3. The location and dimensions of all existing and proposed improvements on the parcel, including access roads and structures, that are within one thousand (1,000) feet of the proposed tower site, and the maximum height above ground level of the facility (also identified in height above sea level).

See attached zoning drawings.

4. The benchmarks and datum used for elevations. The datum shall coincide with the Virginia State Plane Coordinate System, South Zone, North American Datum

of 1983 (NAD83), United States Survey Feet North American Vertical Datum of 1988 (NAVD88), and the benchmarks shall be acceptable to the Planning and Zoning Director.

See attached zoning drawings.

5. Except where the facility would be attached to an existing structure, the topography within three hundred (300) feet of the proposed facility, in contour intervals not to exceed ten (10) feet for all lands within Nelson County and, in contour intervals shown on United States Geological Survey topographic survey maps or the best topographic data available, for lands not within Nelson County.

See attached zoning drawings.

6. The location of any stream, wetland, as identified by Army Corps of Engineers and/or the Virginia Department of Environmental Quality, and floodplain area within one thousand (1,000) feet of the proposed tower.

See attached zoning drawings.

7. The height, caliper and species of all trees where the drip line is located within two hundred (120) feet of the facility that are relied upon to establish the existing vegetative canopy and screening of the tower and all trees that will be adversely impacted or removed during installation or maintenance of the facility shall be noted.

The proposed site is in a forested area, and all ground equipment and the lower portion of the monopole will be completely screened by onsite trees. As a proposed Class C facility at 199' height, trees will not be relied upon to establish a vegetative canopy to screen the upper portion of the monopole itself.

8. Fall area: The minimum distance from the tower's base to the property line shall be: (i) wood poles—one hundred (100) percent of tower height; (ii) metal monopole—one hundred ten (110) percent of tower height; and (iii) lattice tower—one hundred twenty-five (125) percent of tower height.

For the proposed 199' metal monopole, a 110% fall zone is required which would be 218.90 feet. However, the monopole would be designed to collapse upon itself within the Property boundaries, as shall be certified by a licensed engineer. Therefore, the proposed fall area for the tower is 120 feet from the base of the tower.

9. All existing and proposed setbacks, parking, fencing, and landscaping.

The closest property line is located approximately 123.8' from the base of the monopole. The closest residence is located 301' from the base of the monopole. For further details please see the attached zoning drawings with this application.

10. The proposed safety measure(s) at the base of the communication tower for the safety and general welfare of the public.



The monopole will be designed and constructed in compliance with all applicable federal, state and local building codes and regulations. Construction drawings demonstrating the work to be performed will be provided at the building permit phase.

11. Federal Aviation Administration (FAA) hazard determination report and documentation that the request presents no hazard to any airport.

D. Design standards.

1. The Final Approving Authority shall approve the color of each metal, wood, or concrete monopole. The antennas, supporting brackets, and all other equipment attached to the tower shall be a color that closely matches that of the tower. The ground equipment, the ground equipment cabinet, and the concrete pad shall be a color that is consistent with the character of the area.

The support structure will be a monopole design made of galvanized steel. The galvanized steel color will match the backdrop of the sky. However, should the County prefer that the monopole and attached equipment be painted, the Applicant would be amenable to such condition.

2. Each wood or concrete tower shall be constructed so that all feed lines, wiring, and similar attachments are located within the tower structure or facing the interior of the property away from public view as reasonably determined by the Planning and Zoning Director.

Duly noted.

3. The facility shall be designed, constructed and maintained as follows: (a) guy wired towers shall not be permitted; and (b) lightning rod, whose width shall not exceed one (1) inch in diameter at the base and tapering to a point, may be installed at the top of facility or the structure.

The proposed support structure will be a non-guyed 195' monopole design with a 4' lightning rod designed to current local and federal building code standards.

4. Unless waived or modified by the Final Approving Authority, equipment shall be attached to the tower as follows: (i) the total number of arrays of antennas attached to the existing structure shall not exceed three (3); (ii) each antenna shall not exceed one thousand one hundred fifty-two (1,152) square inches; (iii) each array shall contain no more than three (3) antennas; and (iv) no antenna shall project from the structure beyond the minimum required by the mounting equipment.

The monopole will be designed to support a minimum of three antenna arrays, the applicant's and two other carriers. All installed antennas will be in-line with local ordinance as appropriate.

5. No slopes associated with the installation of the facility and accessory uses shall be created that are steeper than 2:1 unless proposed retaining walls, revetments, or other stabilization measures are acceptable to the Final Approving Authority.

Not applicable, see attached zoning drawings with contours surrounding the tower for further details.

6. The site shall provide adequate opportunities for screening and the tower shall be sited to have the Least Visually Obtrusive Profile from adjacent parcels and streets, regardless of their distance from the tower. If the tower would be visible from a state designated Scenic River, Scenic Byway, or a National Park or National Forest, regardless of whether the site is adjacent thereto, the facility also shall be sited to minimize its visibility from such River, Scenic Byway, Park, or Forest. If the tower would be located on lands subject to or adjacent to a conservation easement or an open space easement, the facility shall be sited so that it is not visible from any resources specifically identified for protection in the deed of easement.

The Applicant will conduct a balloon test so that County officials, County planners, and residents of the neighboring properties may evaluate the potential visibility of the proposed monopole from adjacent parcels and roadways. The proposed site is not in the vicinity of any state-designated Scenic River, Scenic Byway, National Park, or National Forest. If any adjacent parcels are subject to a conservation easement or an open space easement, the facility shall be sited so that it is not visible from any resources specifically identified for protection in the deed of easement.

7. Identification sign. A sign measuring six (6) square feet or less, clearly visible, identifying the owner(s) and operator(s) of the communication tower site and a local or toll-free emergency phone number for each. The sign shall be posted at the entrance to the proposed communication tower site.

Only signage required to identify the facility will be present upon construction.

8. Security fencing. Towers shall be enclosed by security fencing no less than eight (8) feet in height and shall also be equipped with an appropriate anti-climbing device, however, the Final Approving Authority may modify or waive such requirements.

Duly noted and reflected on the zoning drawings attached with this application. Proposed fence is a 7' chain link fence with 1' of barbed wire on top.

9. Landscaping. The following requirements shall govern the landscaping surrounding the communication tower; however, the Final Approving Authority may modify or waive such requirements.
 - a) Tower facilities shall be landscaped with a buffer of plant materials that effectively screens the view of the support buildings at any time of year from adjacent property. The standard buffer shall consist of a landscaped strip at least four (4) feet wide outside the perimeter of the facilities.

The facility compound area would be located within trees at the rear of the property. Additional screening will be added as appropriate in accordance with this ordinance.

- b) Existing mature tree growth and natural land forms on the site shall be preserved to the maximum extent possible. In some cases, such as towers sited on large, wooded lots, the Final Approving Authority may determine that the natural growth around the property perimeter is sufficient buffer.



The facility compound area would be located within trees at the rear of the property. Only vegetation necessary for the construction of the facility will be removed.

- c) Existing trees within one hundred twenty (120) feet of the tower shall not be removed except as may be authorized to permit construction of the tower and installation of access for vehicles and utilities.

Only vegetation necessary for the construction of the facility will be removed.

10. Lighting.

- a) The communication tower shall be unlit unless required by a federal agency.

The FAA requirements determined that marking and lighting is not required for this structure.

- b) A light installed on the outside of the building shall be a manually turned on/off switch for use only when service representatives are present on the site.

Duly noted.

- c) A light installed on an equipment cabinet shall be no more than one (1) foot above the top of the cabinet.

Duly noted.

- E. The Final Approving Authority reserves the right to refer this documentation to a telecommunication consultant for verification that the site selected is an appropriate site to provide reasonable communication service to Nelson County and to locate other alternative sites for consideration. The applicant will be responsible for the cost of this review.

Duly noted.

- F. The Planning and Zoning Director shall review a Complete Application for compliance with the foregoing requirements, the other provisions of this Article, and other applicable law, and upon finding the application to be in compliance, shall issue a Class B Communication Tower Permit.

Duly noted.

(Ord. No. O2014-01, 3-11-14)

20-13

Application and procedure for approval of a Class C Communication Tower Permit.

- A. A Class C Communication Tower may be established upon approval of a Class C Communication Tower Permit by the Nelson County Board of Supervisors initiated upon a Complete Application which satisfies the requirements for a Class B Communication Tower Permit and the additional requirements in this subsection.

Duly noted.

- B. Upon receipt by the Planning and Zoning Director of a Complete Application, the Planning Commission shall conduct a review of the application to determine whether the proposed communication tower is substantially in accord with the Comprehensive Plan and communicate its determination together with any additional recommendations to the Board of Supervisors. In connection with any such determination, the Planning Commission may, and at the direction of the Board of Supervisors shall, hold a public hearing, after notice as required by Code of Virginia, § 15.2-2204. The Planning and Zoning Director shall mail by first class mail a copy of the public hearing notice to landowners adjacent to the proposed site and may rely upon the tax map and land books for purposes of determining such landowners and their mailing addresses. The Planning Commission's actions shall comply with the requirements of the Federal Telecommunications Act of 1996. Failure of the Planning Commission to act on any such application within ninety (90) days of such submission shall be deemed approval of the application by the Planning Commission unless the Board of Supervisors has authorized an extension of time for consideration or the applicant has agreed to an extension of time. The Board of Supervisors may extend the time required for action by the Planning Commission by no more than sixty (60) additional days. If the Planning Commission has not acted on the application by the end of the extension, or by the end of such longer period as may be agreed to by the applicant, the application is deemed approved by the Planning Commission.

Duly noted.

- C. The Board of Supervisors shall hold at least one (1) public hearing on the application after notice as required by Code of Virginia, § 15.2-2204, and make its decision on the application within one hundred fifty (150) days from the date the complete application was submitted to the Planning and Zoning Director. This time period may be extended by the Board of Supervisors provided the applicant consents to the extension.

Duly noted.

- D. Balloon test. For any proposed tower requiring a Class C Communication Tower Permit, a balloon test shall be conducted as follows:

The Applicant agrees to the following balloon test requirements and will schedule this in accordance with the ordinance requirements below.

1. The applicant shall contact the Planning and Zoning Director within ten (10) days after the date the Complete Application was submitted to schedule a date and time when the balloon test will be conducted. The test shall be conducted within forty (40) days after the date the Complete Application was submitted, and the applicant shall provide the Planning and Zoning Director with at least seven (7) days prior notice, provided that this deadline may be extended due to inclement weather or by the agreement of the applicant and the agent. The applicant shall cause to be published in a newspaper having general circulation

in the county notice of the time and place of the balloon test at least seven (7) days prior to such test.

2. Prior to the balloon test, the location of the access road, the lease area, and the tower site of the proposed tower shall be surveyed and staked or flagged in the field.
3. The test shall consist of raising one (1) or more balloons from the site to a height equal to the proposed tower.
4. Photographs of the balloon test shall be taken from the nearest residence and from appropriate locations on abutting properties, along each publicly used road from which the balloon is visible, and other properties and locations as directed by the Planning and Zoning Director and shall be superimposed to scale onto the photographs. The photographs must be filed with the Planning and Zoning Director before the application can be reviewed by the Planning Commission.

E. Alternative site(s). No new Class C Communication Tower shall be permitted unless the applicant demonstrates to the reasonable satisfaction of the Board of Supervisors that:

1. No commercially reasonable co-location alternatives fulfill the applicant's desired coverage;

Please see the enclosed map, which illustrates the following information. The target location area for this proposed site is marked by the blue ring labeled "SARF center," and the proposed site is marked in green ("Arrington"). The yellow ring represents a four-mile radius around the proposed site, and the red ring is a five-mile radius around the proposed site. Based on the FCC ASR Registration database report enclosed, only two vertical structures tall enough to serve as wireless support structures are located within five (5) miles of the proposed site—an American Tower located 2.4 miles to the northwest and an Apex Tower located 1.75 miles to the north (marked with red points). These towers are too far from the target area to be collocation options. Further, the American Tower is very close to the existing Verizon Wireless (collocated) facility referred to as "Kingswood" off S. R. 29 South, and the Apex Tower is too close to the existing Verizon Wireless "Freshwater Cove" site (both marked with yellow pins). There are no towers or other potential support structures within the area that needs to be served, so a new support structure is required.

2. The applicant's proposed antenna would cause electromagnetic interference with the antenna on existing towers or structures, or the antenna on the existing tower or structure would cause interference with the applicant's proposed antenna; or

Prior to constructing the communications facility, the Applicant must obtain all required approvals from the FAA and FCC. The monopole will meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the federal government with the authority to regulate communications towers and antennas.

3. The applicant demonstrates that there are other limiting factors that render *existing towers and structures unsuitable*.

Not applicable as there are no existing towers or structures in the area to be served by the proposed facility.

- F. Factors considered in granting a Class C Communication Tower Permit. The following factors shall be used in determining whether to issue a Class C Communication Tower Permit:
 1. Height of the proposed tower or pole and proximity of the tower or pole to residential structures and residential district boundaries;
 2. Nature of the uses on adjacent and nearby properties, surrounding topography, surrounding tree coverage and foliage, design of the tower or pole, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness;

The monopole and ground equipment will blend with the environment as follows:

- *The facility will be over 1185 feet from Phoenix Road and over 301 feet from the closest residence.*
- *A monopole design will be used for the support structure, which will minimize visual impact.*
- *The antennas will be as closely-mounted as possible to provide the necessary level of service.*
- *The monopole will have a galvanized steel color, which will match the backdrop of the sky or painted to blend with tree coverage, as determined by decision of the County.*
- *The fenced compound and associated ground equipment will be screened as appropriate in accordance with this ordinance to minimize the visual impact of the compound area.*

3. Proposed ingress and egress;

The Applicant proposes to utilize the existing driveway onto the subject property then continue this driveway into the trees to the facility at the rear of the property. Please see the attached zoning drawings for further details.

4. Applicant's co-location policy;

See attached in-bound collocation policy with this application.

5. Consistency with the Comprehensive Plan and the purposes set forth in Section 20-2;

See above description.

6. Proximity to commercial or private airports and heliports; and

The FAA requirements determined that marking and lighting is not required for this structure.

7. The results of the balloon test and subsequent photo simulations for compliance with the purposes as set forth in Section 20-2.

Duly noted.

- G. The Board of Supervisors may impose as conditions for approval such requirements and conditions as are necessary to satisfy or remedy the foregoing factors.

Duly noted.

(Ord. No. O2014-01, 3-11-14)

20-14

Completion requirement.

Unless a longer period of time is authorized in the permit by the Final Approving Authority, construction of Class B and C tower structures shall be completed within one (1) year of the date of issuance of the permit. The completion deadline may be extended for one (1) additional year by the Planning and Zoning Director upon a showing by the applicant of unforeseen circumstances. In the event that the tower structure is not completed within the time specified, then the permit shall be void and any construction completed shall be removed within ninety (90) days.

The Applicant respectfully submits that in accordance with Virginia State Legislation, Article 7.2. Zoning for Wireless Communications Infrastructure, Section § 15.2-2316.4:2. Application reviews. (10), a locality may not "(l)imit the duration of the approval of an application, except a locality may require that construction of the approved project shall commence within two years of final approval and be diligently pursued to completion."

(Ord. No. O2014-01, 3-11-14)

20-15

Removal and reporting.

- A. The facility shall be disassembled and removed from the site within ninety (90) days of the date its use for wireless communication purposes is discontinued.
- B. The applicant shall a report within thirty (30) days any change in the ownership of the facility. Information to be provided is the new owner(s) name, address, telephone number, e-mail address, and a twenty-four-hour emergency telephone number and contact person to the Planning and Zoning Director.

Duly noted.

(Ord. No. O2014-01, 3-11-14)

20-16

Access to Site.

Nelson County shall be provided reasonable access to a Communication Tower and other permitted sites for the purpose of ensuring compliance with this ordinance.



Duly noted.

(Ord. No. O2014-01, 3-11-14)

20-17

Tower permit amendments, temporary towers. [NOT APPLICABLE]

20-18

Application fee schedule.

Class B Communication Towers: An application fee of one thousand dollars (\$1,000.00).

Class C Communication Towers: An application fee of two thousand dollars (\$2,000.00).

Duly noted, see attached required fee with this application.

Tower permit amendment: An application fee of one hundred dollars (\$100.00).

Temporary tower: An application fee of five hundred dollars (\$500.00).

(Ord. No. O2014-01, 3-11-14)

20-19

Exemption from regulations otherwise applicable.

Except as otherwise exempted in this paragraph, each facility shall be subject to all applicable regulations in this chapter.

- A. The Final Approving Authority may authorize a metal communication tower to be located closer in distance than the required fall zone of the tower or other mounting structure to any lot line if the applicant obtains an easement or other recordable document showing agreement between the lot owners, acceptable to the County Attorney, addressing development on the part of the abutting parcel sharing the common lot line that is within the facility's fall zone. If the right-of-way for a public street is within the fall zone, the Virginia Department of Transportation shall be included in the staff review, in lieu of recording an easement or other document. The fall area for a metal monopole and lattice tower may be waived or modified by the Final Approving Authority upon certification by a licensed professional engineer that the tower is designed to collapse within the property lines of the subject property.

The Applicant is requesting a waiver or modification of Section 20-12(C)(8) to permit the proposed monopole to be located closer to the northeast boundary line of the property than 110% of its height. The proposed monopole will be certified by a licensed professional engineer to be designed to collapse within the boundary lines of the Property.

- B. Except for towers subject to the location standards for View Shed (1) or View Shed (2), the area and bulk regulations or minimum yard requirements of the zoning district in which the facility will be located shall not apply.
- C. Notwithstanding Zoning Ordinance Article 2, Definitions—Yard, a facility may be located in a required yard.



(Ord. No. O2014-01, 3-11-14)

20-20

Modification of certain regulations.

- A. The Board of Supervisors may modify the location or height restrictions, or both, upon a determination that: (i) the strict application of the ordinance would produce undue hardship or severely limit the provision of telecommunication services; (ii) there are no commercially reasonable alternatives; and (iii) the authorization of the modification will not be of substantial detriment to adjacent property and the character of the zoning district will not be changed by the granting of the modification.

The Applicant is requesting a modification of the Class C height restriction of 130 feet in order to provide the necessary coverage to the target area.

- B. In authorizing a modification, the Board of Supervisors may impose such conditions regarding the location, character, and features of the communication tower as it may find necessary for compliance with the purposes set forth in Section 20-2.

Duly noted.

- C. No such modification shall be authorized except after notice and hearing as required by Code of Virginia, § 15.2-2204.

Duly noted

(Ord. No. O2014-01, 3-11-14)

20-21

Authority of Planning and Zoning Director.

- A. In addition to the foregoing provisions, the Planning and Zoning Director shall have all necessary authority on behalf of the governing body to administer and enforce this Communication Tower Ordinance, including written orders to remedy any condition found in violation of this ordinance and the initiation of legal action to insure compliance with the ordinance, including injunction, abatement, or other appropriate action or proceedings.
- B. If it should become necessary for an approved Communication Tower Permit to be changed, the Planning and Zoning Director shall upon an applicant's request either administratively approve an amendment to the permit in accordance with this Article, or, if the proposed change will substantially affect the terms of the original permit, require that a new application be submitted for review and action in accordance with this Article.

(Ord. No. O2014-01, 3-11-14)

20-22

Appeals.

- A. A decision of the Planning and Zoning Director may be appealed to the Nelson County Board of Supervisors. An appeal shall be submitted in writing to the office of the Planning and Zoning Director within thirty (30) calendar days after the date of the denial.

Duly noted

- B. A decision of the Board of Supervisors may be appealed to the Nelson County Circuit Court by filing a petition specifying the grounds for the appeal within thirty (30) days after the Board's final decision.

Duly noted

- C. The denial of a permit shall be in writing and supported by substantial evidence contained in a written record.

Duly noted

(Ord. No. O2014-01, 3-11-14)

Footnotes:

--- (6) ---

Editor's note— Ord. No. O2014-01, adopted Mar. 11, 2014, repealed the former Art. 20, §§ 20-1—20-18, and enacted a new Art. 20 as set out herein. The former Art. 20 pertained to similar subject matter, and derived from Ord. of 6-8-99; Ord. No. O2010-06, § 1, 7-13-10; Ord. No. O2-13-03, 6-27-13.



Collocation / Site License Application Process for all Verizon Submarkets

Application received at KGI (you can e-mail or fax copy to your KGI contact, but please mail the completed, signed, hard copy to the KGI office):

KGI

Building Three, Suite 370
805 Las Cimas Parkway
Austin, Texas 78746

KGI verifies that all information has been included with the application.

Signed and dated application form with ALL fields completed

\$2,500 application fee for both new licenses or amendments (payable to KGI)

Equipment cut-sheets (Typically copied sheets from catalogs)

Preliminary Site Sketch

- An Entry & Testing Agreement may be required prior to accessing the tower site and is good for a minimum of 30 days to drive test the site and perform any required preliminary testing (for new licenses). A current Certificate of Insured will also be required. Your KGI contract specialist will let you know the correct name and address of the Verizon entity to be shown as additional insured on the Certificate of Insurance
- KGI will coordinate a site walk with one of Verizon's representatives (if necessary)
- After verification, the application is forwarded to the appropriate Verizon market contacts for approval pending structural analysis. This process takes approximately 10 to 20 days.
- KGI will forward the due diligence package to the carrier
- KGI forwards request for structural analysis, any site photos, etc., along with previous studies to the region's preferred engineering consultant. **Photos of the subject tower and compound as it exists prior to installing new equipment are very helpful.**
- Structural cost will depend on the Verizon submarket and tower type. If no existing studies are available and mapping or foundation/geotech studies are required, the additional cost will be quoted on a site by site basis. If no additional studies are required, a structural analysis takes an average of 10 business days. If additional study is required (soils, foundations) the process takes approx. 4 weeks.
DO NOT ORDER STRUCTURAL REPORTS ON YOUR OWN WITH A DIFFERENT ENGINEERING FIRM OR YOU MAY BE REQUIRED TO RE-RUN THEM THROUGH VERIZON'S PREFERRED VENDOR AT ADDITIONAL COST.
- Mount analysis of existing installations must be performed prior to modifying equipment and all mounts, new or existing, must comply with current regulatory standards. Additional fee will be required for the mount analysis and quote obtained on a case by case basis. Please provide model numbers of existing or proposed mounts and photos of existing with your application.. Please send PO / check to KGI or email PO to your Contract Specialist.

KGI

Building Three, Suite 370
805 Las Cimas Parkway
Austin, Texas 78746

KGI will submit the Order Package to the Engineering Firm on your behalf.

- If structural analysis passes and application is approved, the agreement (site license agreement or amendment) will be prepared by KGI Legal. If structural fails, negotiations to modify the tower may take place if desired. You will be required to pay for a Modification Design that will take approx. 20 days to complete. Allow approx. 30 days for draft completion once mod design and all engineering reports have been completed and approved by Verizon.
- Engineer-sealed Construction Drawings, Site Plan and the names and contact info for construction contractor must be provided for approval.
- A copy of your building permit, construction schedule, zoning approval or statement that zoning is not required must be provided prior to starting construction at the site.
- After full execution of the agreement and upon satisfaction of NTP requirements, KGI will issue an NTP (Notice to Proceed). **See attached NTP checklist.** **You must coordinate with KGI for a date to begin installation. **

- **3rd Party Inspection** of work (through contractor - paid to KGI who will coordinate) **Fee may vary depending upon project type and location (generator add, lift required, etc.)**
- **** Before the NTP will be issued, the Post Installation Fee must be received in the form of a check. The NTP will not be issued until full payment of any outstanding charges has been received.**
- **IMPORTANT! As-built drawings with any red-lined changes must be provided in a final Close-out Package to be delivered to Verizon.**

NTP REQUIREMENTS -

1. License Agreement or Amendment fully executed
2. All Fees to KGI are paid, including the post-installation inspection fee
3. Completed Method of Procedure (MOP) is received and approved (if required)
4. Permitting (Zoning/BP) is completed and copy provided or statement that none is required.
5. Structural Analysis is complete and approved
6. If Structural Failed, Mod Design Complete and Approved and inspected (if required)
7. Contractor information received – must list Project Manager on site and his cell #
8. Construction schedule provided with specific dates and operations to be completed each day.
9. Certificate of Insurance for Contractor showing Verizon as additional insured
10. Certificate of Insurance for Applicant showing Verizon as additional insured.
11. All underground utilities and grounding have been located and marked and site walk completed (if required)
12. Verizon has reviewed NTP items and released KGI to issue NTP.

Liability and insurance coverage amounts must comply with requirements in the Site License Agreement or MLA

Address to use for Verizon on Certificates of Insurance:

Verizon Wireless

180 Washington Valley Road

Bedminster, NJ 07921

Attention: Network Real Estate

* Federal Airways & Airspace *
* Summary Report: New Construction *
* Antenna Structure *

Airspace User: Not Identified

File: ARRINGTON

Location: Arrington, VA

Latitude: 37°-40'-45.07"

Longitude: 78°-53'-40.49"

SITE ELEVATION AMSL.....742 ft.
STRUCTURE HEIGHT.....199 ft.
OVERALL HEIGHT AMSL.....941 ft.
SURVEY HEIGHT AMSL.....941 ft.

NOTICE CRITERIA

- FAR 77.9(a): NNR (DNE 200 ft AGL)
- FAR 77.9(b): NNR (DNE Notice Slope)
- FAR 77.9(c): NNR (Not a Traverse Way)
- FAR 77.9: NNR (No Expected TERPS® impact with W24)
- FAR 77.9: NNR (No Expected TERPS® impact W13)
- FAR 77.9(d): NNR (Off Airport Construction)

NR = Notice Required

NNR = Notice Not Required

PNR = Possible Notice Required (depends upon actual IFR procedure)

For new construction review Air Navigation Facilities at bottom of this report.

Notice to the FAA is not required at the analyzed location and height for slope, height or Straight-In procedures. Please review the 'Air Navigation' section for notice requirements for offset IFR procedures and EMI.

OBSTRUCTION STANDARDS

- FAR 77.17(a)(1): DNE 499 ft AGL
- FAR 77.17(a)(2): DNE - Airport Surface
- FAR 77.19(a): DNE - Horizontal Surface
- FAR 77.19(b): DNE - Conical Surface
- FAR 77.19(c): DNE - Primary Surface
- FAR 77.19(d): DNE - Approach Surface
- FAR 77.19(e): DNE - Approach Transitional Surface
- FAR 77.19(e): DNE - Abeam Transitional Surface

VFR TRAFFIC PATTERN AIRSPACE FOR: W24: FALWELL

Type: A RD: 127246.4 RE: 801.4

- FAR 77.17(a)(1): DNE
- FAR 77.17(a)(2): Does Not Apply.
- VFR Horizontal Surface: DNE

VFR Conical Surface: DNE
 VFR Primary Surface: DNE
 VFR Approach Surface: DNE
 VFR Transitional Surface: DNE

VFR TRAFFIC PATTERN AIRSPACE FOR: W13: EAGLE'S NEST

Type: A RD: 145051.1 RE: 1437
 FAR 77.17(a)(1): DNE
 FAR 77.17(a)(2): Does Not Apply.
 VFR Horizontal Surface: DNE
 VFR Conical Surface: DNE
 VFR Primary Surface: DNE
 VFR Approach Surface: DNE
 VFR Transitional Surface: DNE

TERPS DEPARTURE PROCEDURE (FAA Order 8260.3, Volume 4)

FAR 77.17(a)(3) Departure Surface Criteria (40:1)
 DNE Departure Surface

MINIMUM OBSTACLE CLEARANCE ALTITUDE (MOCA)

FAR 77.17(a)(4) MOCA Altitude Enroute Criteria
 The Maximum Height Permitted is 6095 ft AMSL

PRIVATE LANDING FACILITIES

FACIL	BEARING	RANGE	DELTA ARP	FAA
IDENT TYP NAME	To FACIL	IN NM	ELEVATION	IFR
4VA5 AIR STARR	228.05	1.77	+301	
Possible Impact to Private Landing Facility. Possible Exceeds VFR Transitional Surface (N/A Private Airport).				
1VA3 AIR TYE RIVER	242.75	2.73	+291	
Possible Impact to Private Landing Facility. Possible Exceeds VFR Transitional Surface (N/A Private Airport).				
5VA3 HEL STEVENS HELICOPTERS	359.26	4.64	+191	
No Impact to Private Landing Facility Structure is beyond notice limit by 23193 feet.				
8VA6 AIR FLATWOODS	317.76	4.79	+101	
No Impact to VFR Transitional Surface. Below surface height of 379 ft above ARP.				

AIR NAVIGATION ELECTRONIC FACILITIES

GRND	FAC	ST	DIST	DELTA					
ANGLE	APCH								
	IDNT	TYPE	AT	FREQ					
	BEAR		VECTOR	(ft)					
				ELEVA					
				ST					
				LOCATION					
-1.42	MOL	VOR/DME	R	115.3	322.78	101287	-2514	VA	MONTEBELLO
-.17	LYH	RADAR	ON	2745.	213.56	146308	-434	VA	LYNCHBURG REGIONA

.02 LYH VOR/DME R 109.2 212.58 183702 +70 VA LYNCHBURG
-1.02 QBE RADAR ARSR Y 1255.7 251.52 187809 -3352 VA Roanoke (Bedford)
-.06 CHO RADAR ON 36.78 228140 -249 VA CHARLOTTESVILLE A

CFR Title 47, §1.30000-§1.30004

AM STUDY NOT REQUIRED: Structure is not near a FCC licensed AM station.
Movement Method Proof as specified in §73.151(c) is not required.
Please review 'AM Station Report' for details.

No AM Stations were located within 3.0 km.

Airspace® Summary Version 19.9.543

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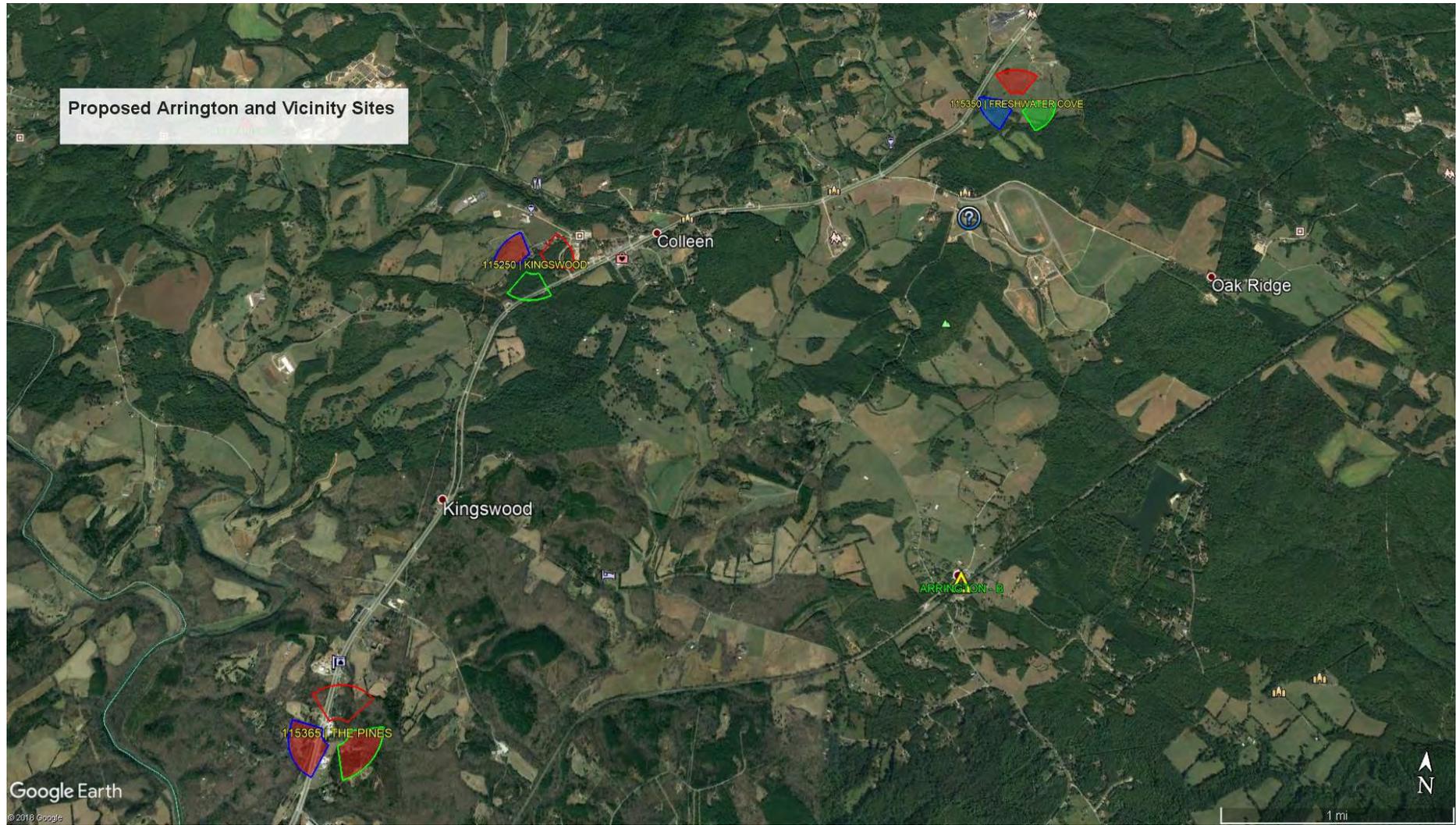
11-12-2019
07:37:31

Verizon Wireless Arrington site – sites with 5 miles of the proposed tower

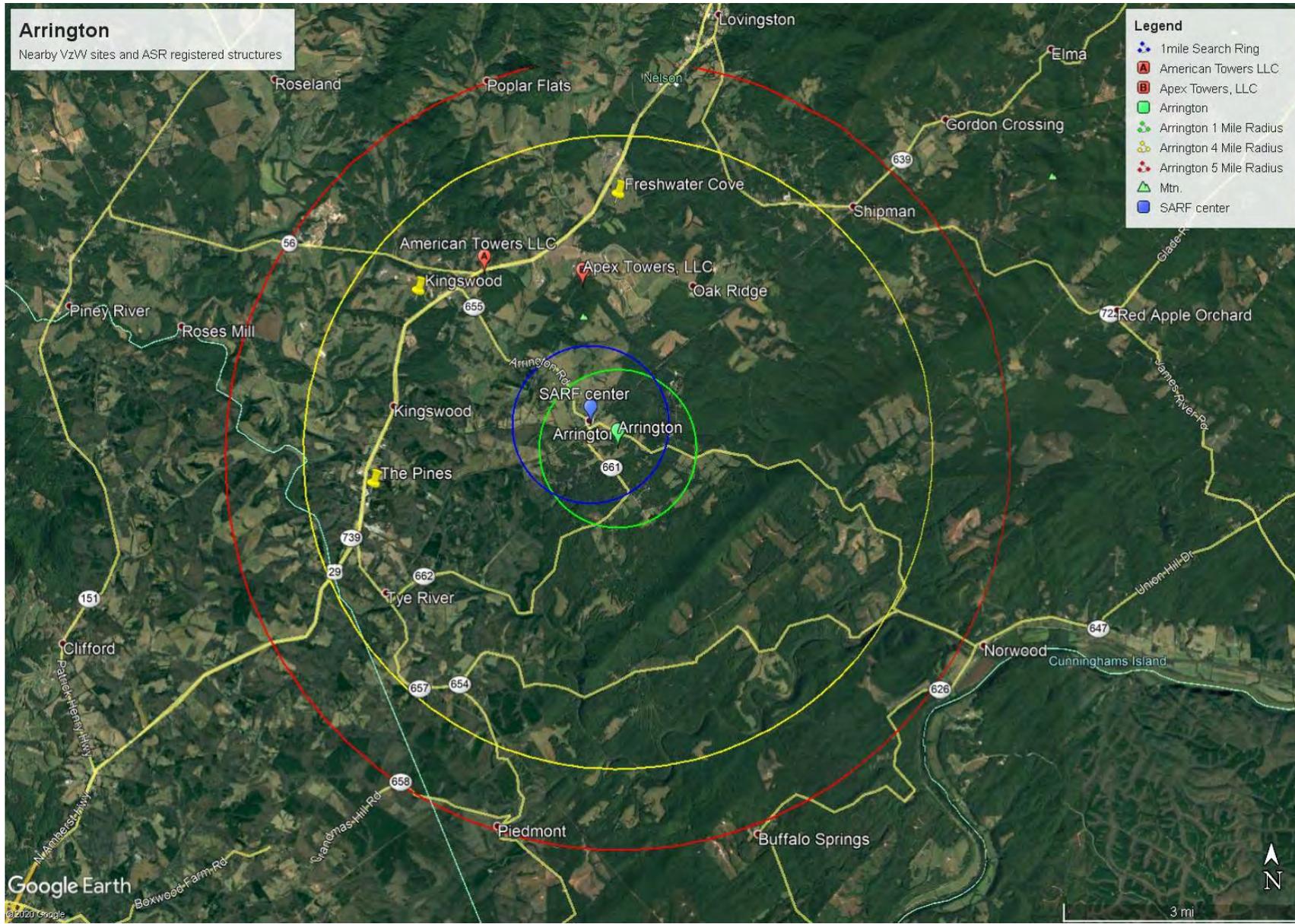
Table of all constructed towers within 5miles of proposed as taken from FCC's ASR registration database.

Registration Number	File Number	Owner Name	Latitude	Longitude	Structure City/State	Overall Height Above Ground (AGL) (m)	Overall height (ft)	Distance from SARF center
1302138	A1143517	American Towers LLC	37-42-40.0N	078-55-32.9W	Arrington, VA	33.8	111	2.4miles NW
1309569	A1137524	Apex Towers, LLC	37-42-31.1N	078-54-10.0W	Arrington, VA	39.6	130	1.75miles N

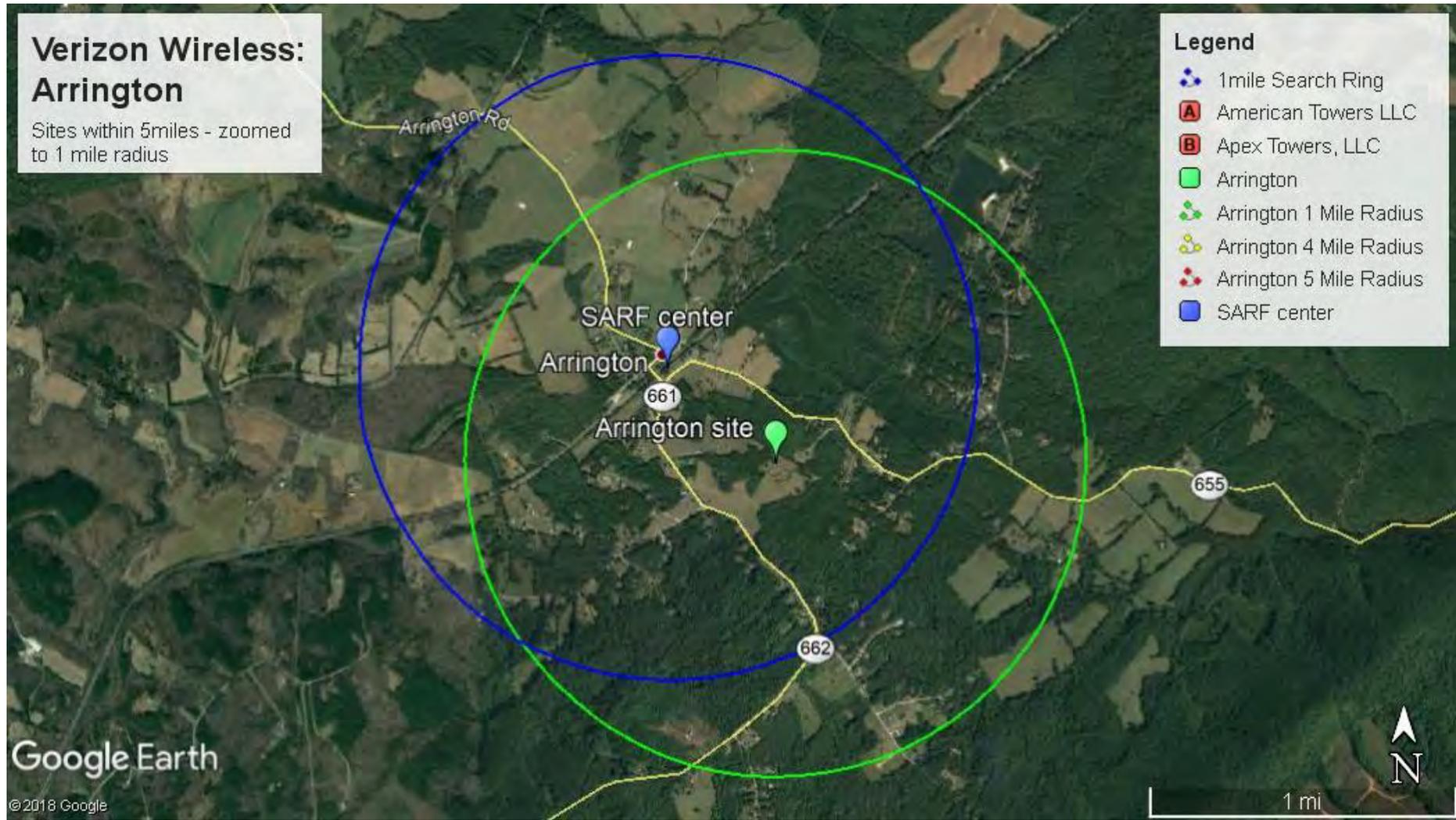
Verizon Wireless Arrington site – sites with 5 miles of the proposed tower



Verizon Wireless Arrington site – sites with 5 miles of the proposed tower



Verizon Wireless Arrington site – sites with 5 miles of the proposed tower





SITE NAME: ARRINGTON

571 PHOENIX RD
ARRINGTON, VA 22922
NELSON COUNTY

SITE INFORMATION

PROJECT DESCRIPTION: RAWLAND: PROPOSED INSTALLATION OF TELECOMMUNICATIONS TOWER AND RELATED EQUIPMENT WITHIN SECURED COMPOUND.

SITE ADDRESS: 571 PHOENIX RD
ARRINGTON, VA 22922

LATITUDE (NAD 83): 37° 40' 45.0676"
LONGITUDE (NAD 83): -78° 53' 40.4930"

GROUND ELEVATION: 741.7' AMSL

JURISDICTION: NELSON COUNTY

ZONING: A-1 (AGRICULTURAL)

PARCEL ID: 77 A 137B

PARCEL AREA: 37.20± ACRES

PARCEL OWNER: MICHAEL W. REESE
PO BOX 64
ARRINGTON, VA 22922

TOWER OWNER: VERIZON WIRELESS
1831 RADY COURT
RICHMOND, VA 23222

STRUCTURE TYPE: MONOPOLE

HEIGHT OF STRUCTURE: 195.0'± AGL (936.7' AMSL)

RAD CENTER: 192.0'± AGL (933.7' AMSL)

OVERALL HEIGHT OF STRUCTURE: 199.0'± AGL (940.7' AMSL)

TOTAL LEASE AREA: 10,000± SQ. FT.

POWER PROVIDER: DOMINION POWER (866) 4357

TELCO PROVIDER: VERIZON (800) 837-4966

EMERGENCY INFORMATION:

NELSON COUNTY FIRE & RESCUE: (434) 263-4060
NELSON COUNTY SHERIFF'S OFFICE: (434) 263-7050

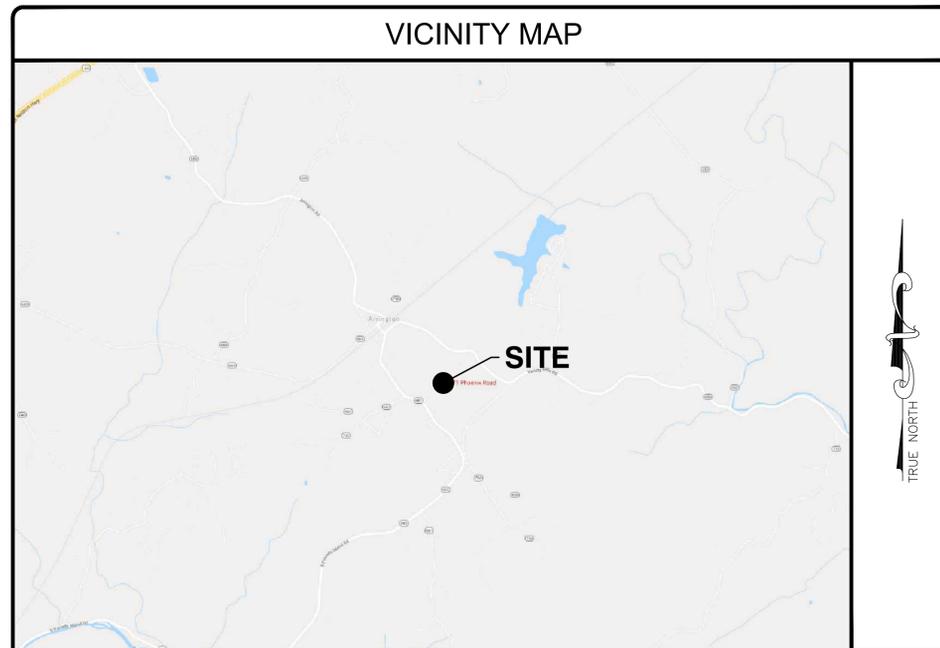
PROJECT TEAM

CONSTRUCTION MANAGER: NETWORK BUILDING + CONSULTING
JOHN KIRBY
(540) 280-9630

PROJECT MANAGEMENT FIRM: BCI
SEAN BAMMAN
(804) 928-0154

ENGINEERING FIRM: NB+C ENGINEERING SERVICES, LLC.
4435 WATERFRONT DRIVE
SUITE 100
GLEN ALLEN, VA 23060
(804) 548-4079

VICINITY MAP



DIRECTIONS

START OUT GOING SOUTH ON GOODES BRIDGE RD TOWARD WALMSLEY BLVD/VA-647. THEN 0.25 MILES TURN RIGHT ONTO WALMSLEY BLVD/VA-647. THEN 0.04 MILES TURN RIGHT ONTO TURNER RD. THEN 2.37 MILES TURN LEFT ONTO MIDLOTHIAN TURNPIKE/US-60 W. CONTINUE TO FOLLOW US-60 W. THEN 61.99 MILES TURN RIGHT ONTO S JAMES RIVER HWY/VA-56. CONTINUE TO FOLLOW S JAMES RIVER HWY. S JAMES RIVER HWY IS 0.7 MILES PAST HALL RD IF YOU REACH ALCOMA RD YOU'VE GONE A LITTLE TOO FAR THEN 10.46 MILES S JAMES RIVER HWY BECOMES JAMES RIVER RD/VA-56. THEN 0.39 MILES TURN LEFT ONTO NORWOOD RD. IF YOU REACH RIVER CIR YOU'VE GONE A LITTLE TOO FAR THEN 5.06 MILES TURN RIGHT ONTO VARIETY MILLS RD/VA-655. VARIETY MILLS RD IS 0.1 MILES PAST PINE HILL LN THEN 6.10 MILES TURN LEFT ONTO N POWELLS ISLAND RD/VA-662. N POWELLS ISLAND RD IS 0.3 MILES PAST LAKE NELSON LN IF YOU ARE ON PHOENIX RD AND REACH TRACK LN YOU'VE GONE ABOUT 1 MILE TOO FAR THEN 0.45 MILES TAKE THE 1ST RIGHT INTO STATE HIGHWAY 662/VA-662. IF YOU REACH LOBO LN YOU'VE GONE ABOUT 0.1 MILES TOO FAR THEN 0.10 MILES TURN RIGHT ONTO PHOENIX RD/VA-661. THEN 0.28 MILES 571 PHOENIX RD, ARRINGTON, VA 22922-2735, 571 PHOENIX RD IS ON THE RIGHT.

CODE COMPLIANCE

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THE LATEST EDITIONS OF THE FOLLOWING CODES.

- 2015 INTERNATIONAL BUILDING CODE
- ANSI/TIA-222-G
- 2014 NATIONAL ELECTRICAL CODE
- TIA 607
- 2015 NFPA 101, LIFE SAFETY CODE
- INSTITUTE FOR ELECTRICAL & ELECTRONICS ENGINEER 81
- 2015 IFC
- IEEE C2 NATIONAL ELECTRIC SAFETY CODE LATEST EDITION
- AMERICAN CONCRETE INSTITUTE
- TELECORDIA GR-1275
- AMERICAN INSTITUTE OF STEEL CONSTRUCTION
- ANSI/T 311
- MANUAL OF STEEL CONSTRUCTION 13TH EDITION

DRAWING INDEX

T-1	TITLE SHEET
Z-1	SITE PLAN
Z-2	EXISTING TOPO SITE PLAN
C-1	COMPOUND PLAN
C-2	TOWER ELEVATION DETAILS & NOTES
S-1	CONSTRUCTION DETAILS

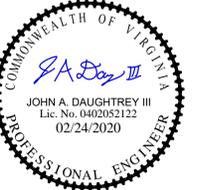
DO NOT SCALE DRAWINGS

THESE DRAWINGS ARE FORMATTED TO BE FULL-SIZE AT 24"X36". CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE DESIGNER / ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR MATERIAL ORDERS OR BE RESPONSIBLE FOR THE SAME. CONTRACTOR SHALL USE BEST MANAGEMENT PRACTICE TO PREVENT STORM WATER POLLUTION DURING CONSTRUCTION.

APPROVAL BLOCK

REVISIONS

REV	DATE	DESCRIPTION	BY
2	02/24/20	REVISED	CCC
1	11/01/19	FINAL ZDs	LJS
0	10/23/19	PRELIMINARY ZDs	LJS



JOHN A. DAUGHTREY III, P.E.
VA PROFESSIONAL ENGINEER LIC. #052122

TITLE SHEET

T-1

ENGINEER

APPLICANT

SITE INFORMATION

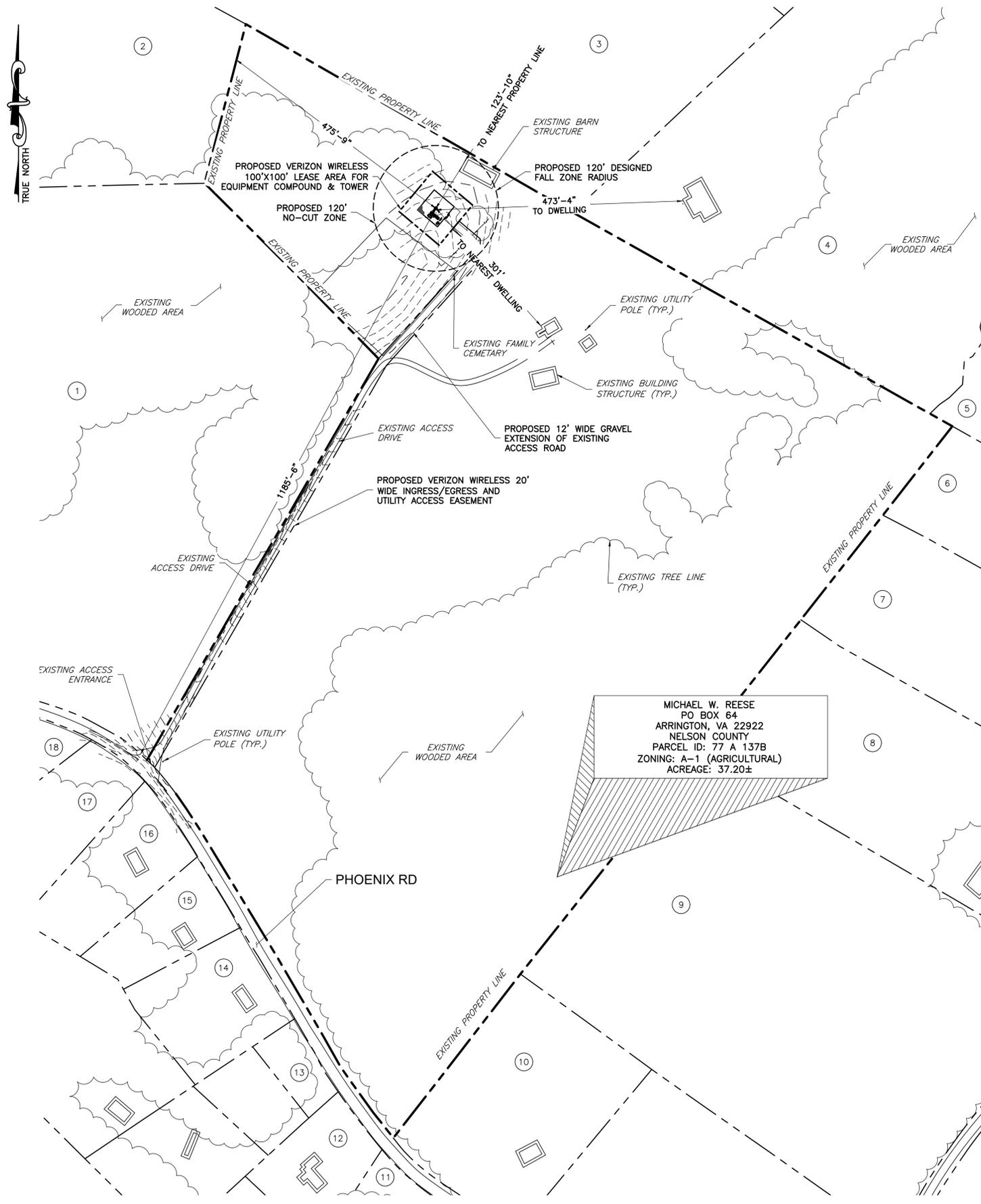
DESIGN RECORD

PROFESSIONAL STAMP

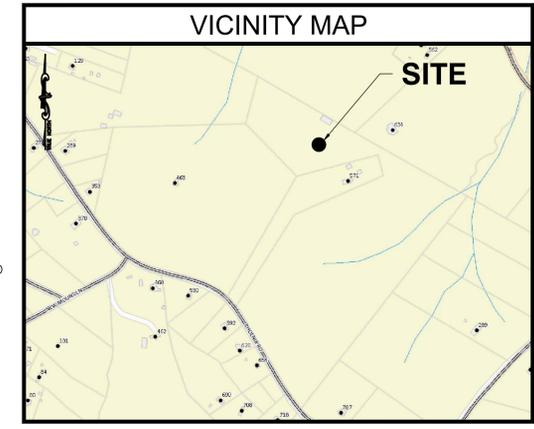
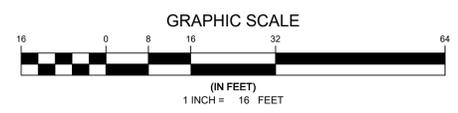
ENGINEER

SHEET TITLE

SHEET NUMBER



1 SITE PLAN
Z-1
SCALE: 1"=16'



GENERAL NOTES

1. THIS PLAN IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
2. NO SIGNIFICANT NOISE, SMOKE, DUST, OR ODOR WILL RESULT FROM THIS FACILITY.
3. THE FACILITY IS UNMANNED AND NOT INTENDED FOR HUMAN HABITATION. THERE IS NO HANDICAP ACCESS REQUIRED.
4. THE FACILITY IS UNMANNED AND DOES NOT REQUIRE POTABLE WATER OR SANITARY SERVICE.

LEGEND	
	PROPERTY LINE - SUBJECT PARCEL
	PROPERTY LINE - ABUTTERS
	EXISTING ROAD
	EXISTING FENCE
	PROPOSED EASEMENT
	PROPOSED LEASE AREA
	EXISTING EASEMENT
	PROPOSED FENCE
	EXISTING BUILDING

ZONING INFORMATION		
JURISDICTION: NELSON COUNTY		
ZONING: A-1		
DIMENSION	REQUIREMENT	PROPOSED ±
FRONT YARD SETBACK:	75'	1185'-6"±
SIDE YARD SETBACK:	20'	123'-10"±
REAR YARD SETBACK:	50'	475'-9"±
LOT AREA: 37.20 ± ACRES		
(ALL MEASUREMENTS ARE IN FEET ± UNLESS OTHERWISE NOTED)		

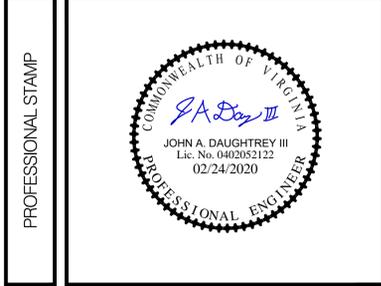
- 1 HODGSON MICHAEL A & CLARICE L
463 PHOENIX RD
ARRINGTON, VA 22922
PARCEL ID: 77 A 137A
ZONING: A-1
AREA: 21.21± ACRES
- 2 KELLY RHONDA
1001 TURNER LANDING RD
LANEXA, VA 23089
PARCEL ID: 77 A 102
ZONING: A-1
AREA: 14.78± ACRES
- 3 WHITE WALTER & YVETTE D
3605 STOCKTON DR
CHARLOTTESVILLE, VA 22903
PARCEL ID: 77 A 123
ZONING: A-1
AREA: 111.60± ACRES
- 4 MILES LYNETTE
634 VARIETY MILLS RD
ARRINGTON, VA 22922
PARCEL ID: 77 A 132
ZONING: A-1
AREA: 13.0± ACRES
- 5 WEAVER AFREAD H JR & KATHY J
621 VARIETY MILLS RD
ARRINGTON, VA 22922
PARCEL ID: 77 A 134A
ZONING: A-1
AREA: 4.675± ACRES
- 6 HARLOW WILLIAM C & 395 N POWELLS ISLAND RD
ARRINGTON, VA 22922
PARCEL ID: 77 9 5
ZONING: A-1
AREA: 5.00± ACRES
- 7 METZ WENDY
385 N POWELLS ISLAND RD
ARRINGTON, VA 22922
PARCEL ID: 77 9 4
ZONING: A-1
AREA: 5.00± ACRES
- 8 STEVENS KENNETH D & DORIS
289 NORTH POWELLS ISLAND RD
ARRINGTON, VA 22922
PARCEL ID: 77 9 3
ZONING: A-1
AREA: 5.00± ACRES
- 9 MARTIN JAMES T
290 NORTH POWELLS ISLAND RD
ARRINGTON, VA 22922
PARCEL ID: 77 9 2
ZONING: A-1
AREA: 10.14± ACRES
- 10 NELSON COUNTY COMMUNITY DEV
PO BOX 57
LOVINGSTON, VA 22949
PARCEL ID: 77 9 1A
ZONING: A-1
AREA: 1.02± ACRES
- 11 PICCIOLLO LEANN
5380 HOLMES RUN PKWY APT 302
ALEXANDRIA, VA 22304
PARCEL ID: 77 A 179A
ZONING: A-1
AREA: 3.00± ACRES
- 12 IRVING HOWARD & ELIZABETH
530 PHOENIX RD
ARRINGTON, VA 22922
PARCEL ID: 77 A 139
ZONING: R-2
AREA: 0.89± ACRES
- 13 SILVER LEAF HALL
5380 HOLMES RUN PKWY APT 302
ALEXANDRIA, VA 22304
PARCEL ID: 77 A 142
ZONING: R-2
AREA: 0.00± ACRES
- 14 ELDER STACEY A
656 PHOENIX RD
ARRINGTON, VA 22922
PARCEL ID: 77 A 141
ZONING: R-2
AREA: 1.03± ACRES
- 15 GAINES TAMEKA L
5380 HOLMES RUN PKWY APT 302
ALEXANDRIA, VA 22304
PARCEL ID: 77 A 143C
ZONING: R-2
AREA: 0.95± ACRES
- 16 WRENN LUCY I
592 PHOENIX RD
ARRINGTON, VA 22922
PARCEL ID: 77 A 143B
ZONING: R-2
AREA: 1.02± ACRES
- 17 ROSS BERNADETTE K
5380 HOLMES RUN PKWY APT 302
ALEXANDRIA, VA 22304
PARCEL ID: 77 A 143
ZONING: R-2
AREA: 1.04± ACRES
- 18 IRVING LUCILLE & OTHERS
530 PHOENIX RD
ARRINGTON, VA 22922
PARCEL ID: 77 A 143A
ZONING: R-2
AREA: 1.40± ACRES

NB+C
TOTALLY COMMITTED.
NB+C ENGINEERING SERVICES, LLC.
4435 WATERFRONT DRIVE, SUITE 100
GLEN ALLEN, VA 23060
804-548-6078

verizon
1831 RADY COURT
RICHMOND, VA 23222

ARRINGTON
VERIZON RAW LAND
571 PHOENIX RD
ARRINGTON, VA 22922
NELSON COUNTY

REVISIONS			
REV	DATE	DESCRIPTION	BY
2	02/24/20	REVISED	CCC
1	11/01/19	FINAL ZDs	LJS
0	10/23/19	PRELIMINARY ZDs	LJS

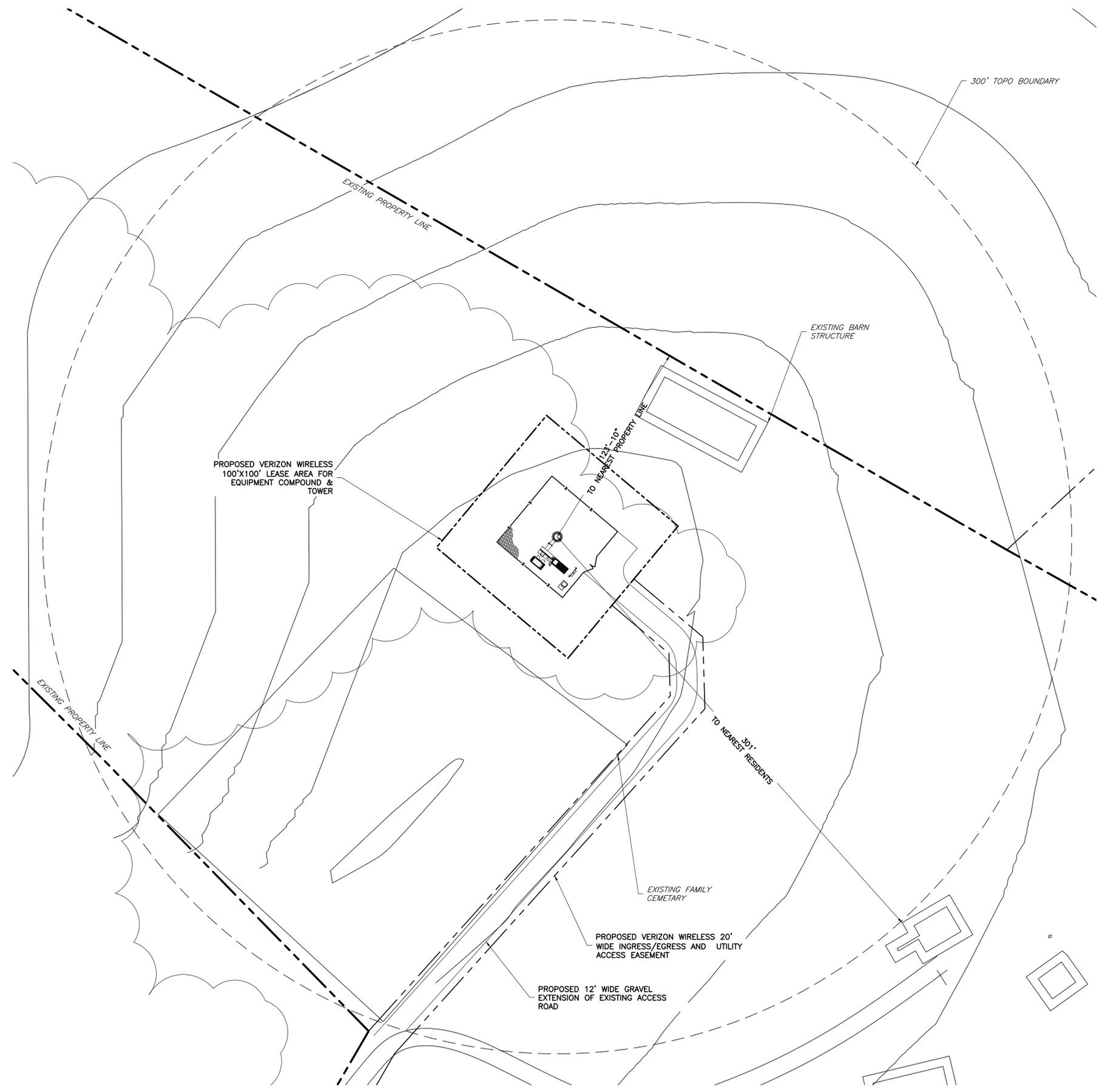


JOHN A. DAUGHTREY III, P.E.
VA PROFESSIONAL ENGINEER LIC. #052122

SITE PLAN

Z-1



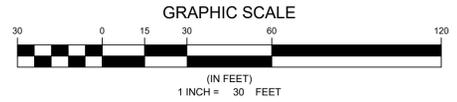


GENERAL NOTES

1. THIS PLAN IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
2. NO SIGNIFICANT NOISE, SMOKE, DUST, OR ODOR WILL RESULT FROM THIS FACILITY.
3. THE FACILITY IS UNMANNED AND NOT INTENDED FOR HUMAN HABITATION. THERE IS NO HANDICAP ACCESS REQUIRED.
4. THE FACILITY IS UNMANNED AND DOES NOT REQUIRE POTABLE WATER OR SANITARY SERVICE.

LEGEND	
	PROPERTY LINE - SUBJECT PARCEL
	PROPERTY LINE - ABUTTERS
	EXISTING ROAD
	EXISTING FENCE
	PROPOSED EASEMENT
	PROPOSED LEASE AREA
	EXISTING EASEMENT
	PROPOSED FENCE
	EXISTING BUILDING

1
Z-2
EXISTING TOPO SITE PLAN
SCALE: 1"=30'



ENGINEER



NB+C ENGINEERING SERVICES, LLC.
4435 WATERFRONT DRIVE, SUITE 100
GLEN ALLEN, VA 23060
804-548-4979

APPLICANT



1831 RADY COURT
RICHMOND, VA 23222

SITE INFORMATION

ARRINGTON
VERIZON RAW LAND
571 PHOENIX RD
ARRINGTON, VA 22922
NELSON COUNTY

DESIGN RECORD

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2	02/24/20	REVISED	CCC
1	11/01/19	FINAL ZDs	LJS
0	10/23/19	PRELIMINARY ZDs	LJS

PROFESSIONAL STAMP

ENGINEER

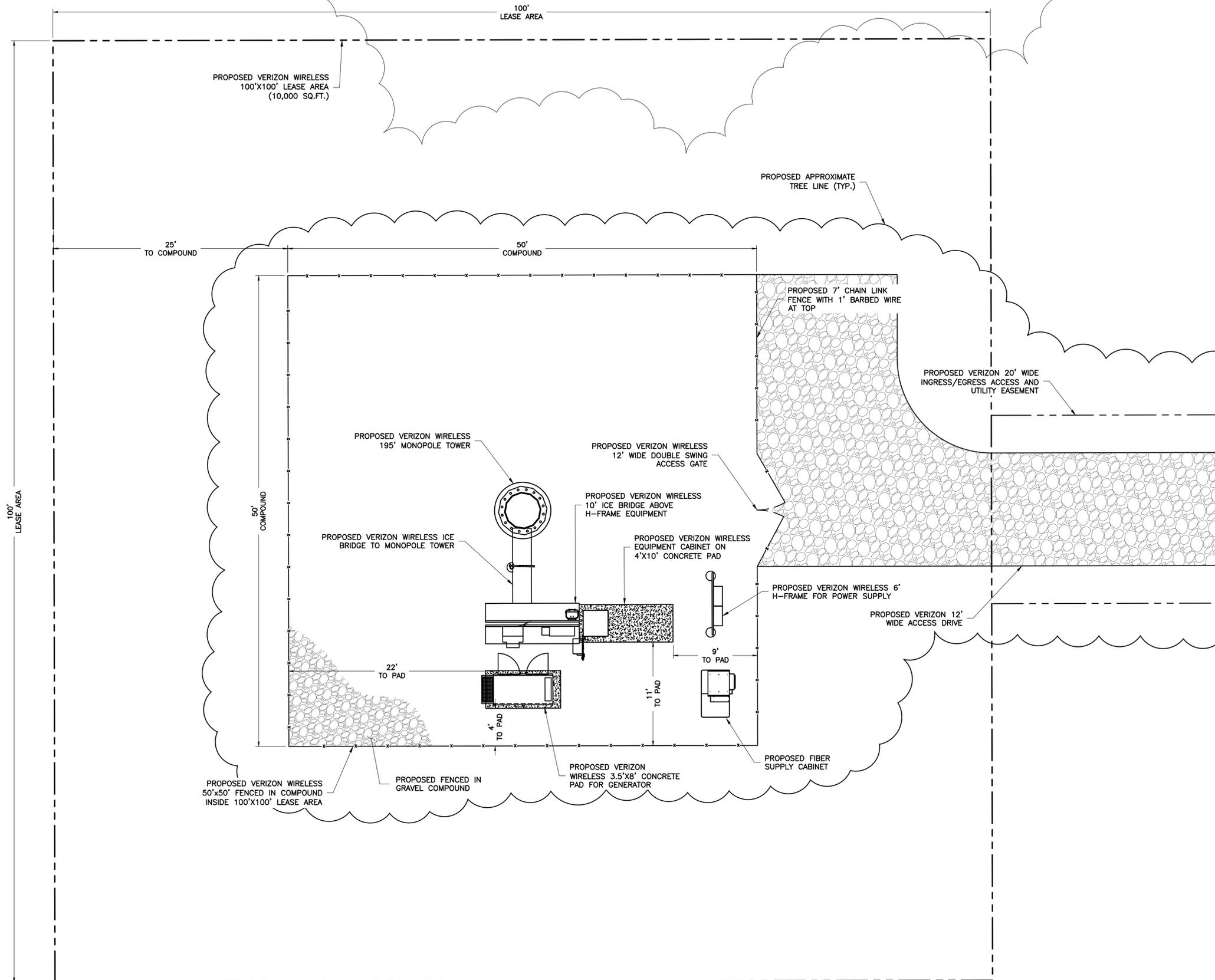
JOHN A. DAUGHTREY III, P.E.
VA PROFESSIONAL ENGINEER LIC. #052122

SHEET TITLE

**EXISTING TOPO
SITE PLAN**

SHEET NUMBER

Z-2



ENGINEER

NB+C ENGINEERING SERVICES, LLC.
4435 WATERFRONT DRIVE, SUITE 100
GLEN ALLEN, VA 23060
804-548-4072

APPLICANT

1831 RADY COURT
RICHMOND, VA 23222

SITE INFORMATION

ARRINGTON
VERIZON RAW LAND
571 PHOENIX RD
ARRINGTON, VA 22922
NELSON COUNTY

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0	10/23/19	PRELIMINARY ZDs	LJS

PROFESSIONAL STAMP

ENGINEER

JOHN A. DAUGHTREY III, P.E.
VA PROFESSIONAL ENGINEER LIC. #052122

SHEET TITLE

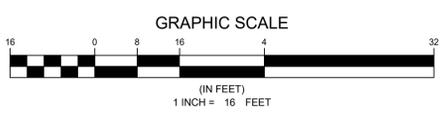
COMPOUND PLAN

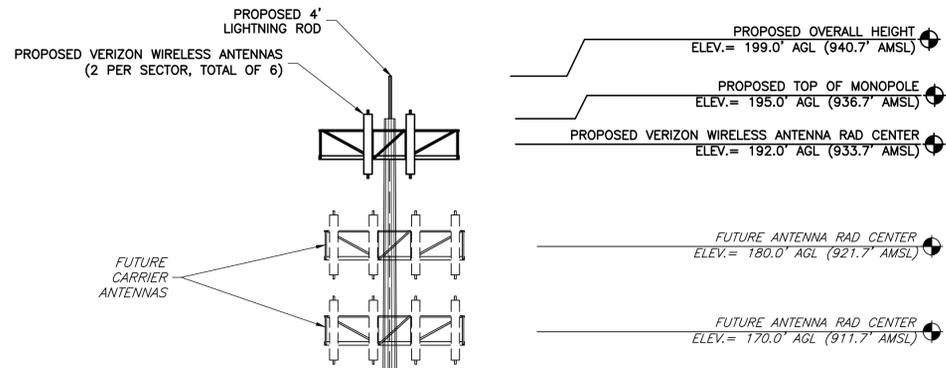
SHEET NUMBER

C-1



1 COMPOUND PLAN
SCALE: 3/16" = 1'-0"

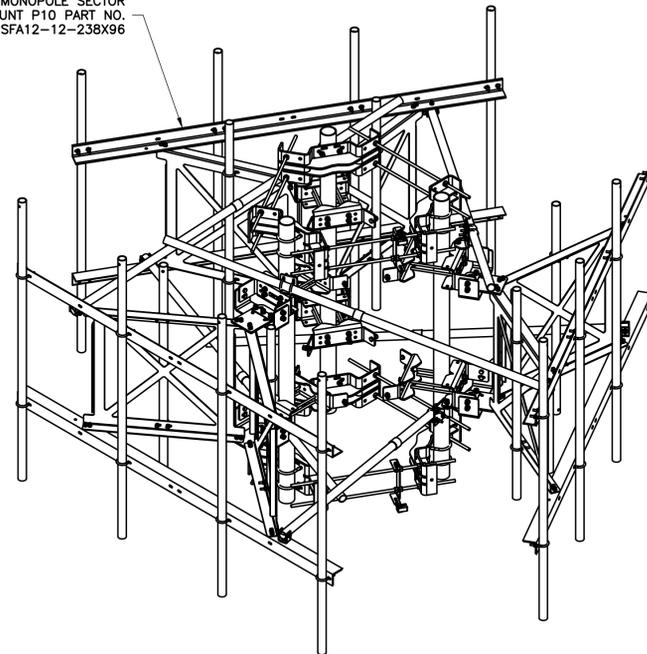




PROPOSED VERIZON WIRELESS 195' MONOPOLE TOWER
(37° 40' 45.0676" -78° 53' 40.4930")

PROPOSED VERIZON WIRELESS HYBRID CABLES ROUTED ON THE INTERIOR OF THE MONOPOLE (TYP OF 1)

PROPOSED MONOPOLE SECTOR FRAME MOUNT P10 PART NO. PV-MPM-SFA12-12-238X96



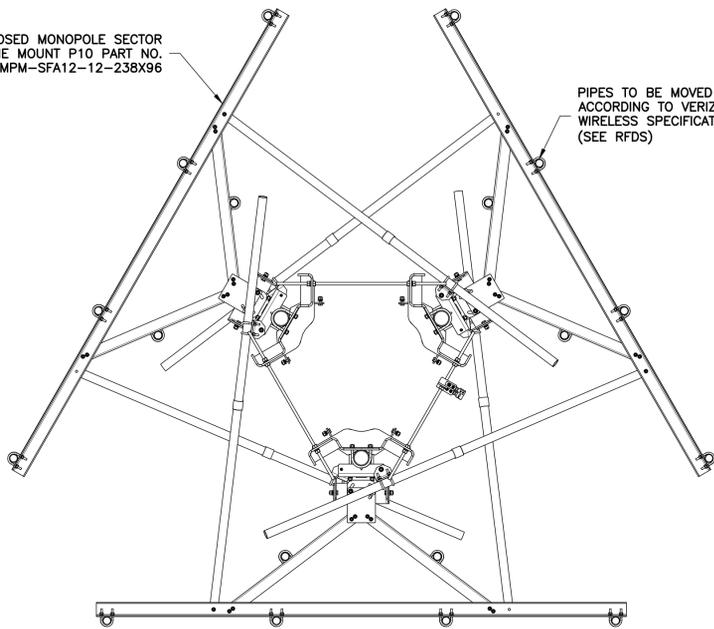
2 ISOMETRIC MOUNT DETAIL
SCALE: NTS

NOTE:
1. TIEBACKS MUST BE CONNECTED TO A RIGID MEMBER THAT PROVIDES ADEQUATE SUPPORT WITHIN THE LIMITS NOTED IN THE TIEBACK ANGLE RANGE DETAIL.
2. PROPOSED COLLAR IS SUITABLE FOR MONOPOLE DIAMETERS 15"Ø-50"Ø.

NOTE: THE P10 PV-MPM-SFA12-12-238X96 MOUNT MEETS BOTH VERIZON WIRELESS'S MOUNT CLASSIFICATION STANDARD "NSTD-44S MINIMUM CRITERIA FOR THE SOUTH MARKET WHICH IS
1. M1400R-4[6] AND M1000R(I)-4[6]
2. THIS DESIGNATION MUST BE INSTALLED ON THE MOUNT VIA A METAL TAG

PROPOSED MONOPOLE SECTOR FRAME MOUNT P10 PART NO. PV-MPM-SFA12-12-238X96

PIPES TO BE MOVED ACCORDING TO VERIZON WIRELESS SPECIFICATIONS (SEE RFDS)



3 PLAN VIEW MOUNT DETAIL
SCALE: NTS

GENERAL NOTES

1. THE CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE CODES, ORDINANCES, LAWS AND REGULATIONS OF ALL MUNICIPALITIES, UTILITIES COMPANY OR OTHER PUBLIC AUTHORITIES.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL PERMITS AND INSPECTIONS THAT MAY BE REQUIRED BY ANY FEDERAL, STATE, COUNTY OR MUNICIPAL AUTHORITIES.
3. THE CONTRACTOR SHALL NOTIFY THE CONSTRUCTION MANAGER, IN WRITING, OF ANY CONFLICTS, ERRORS OR OMISSIONS PRIOR TO THE SUBMISSION OF BIDS OR PERFORMANCE OF WORK. MINOR OMISSIONS OR ERRORS IN THE BID DOCUMENTS SHALL NOT RELIEVE THE CONTRACTOR FROM RESPONSIBILITY FOR THE OVERALL INTENT OF THESE DRAWINGS.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING SITE IMPROVEMENTS PRIOR TO COMMENCING CONSTRUCTION. THE CONTRACTOR SHALL REPAIR ANY DAMAGE CAUSED AS A RESULT OF CONSTRUCTION OF THIS FACILITY.
5. THE SCOPE OF WORK FOR THIS PROJECT SHALL INCLUDE PROVIDING ALL MATERIALS, EQUIPMENT AND LABOR REQUIRED TO COMPLETE THIS PROJECT. ALL EQUIPMENT SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.
6. THE CONTRACTOR SHALL VISIT THE PROJECT SITE PRIOR TO SUBMITTING A BID TO VERIFY THAT THE PROJECT CAN BE CONSTRUCTED IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.
7. CONTRACTOR SHALL VERIFY ANTENNA ELEVATION AND AZIMUTH WITH RF ENGINEERING PRIOR TO INSTALLATION.
8. TRANSMITTER EQUIPMENT AND ANTENNAS ARE DESIGNED TO MEET ANSI/TIA 222-G REQUIREMENTS.
9. ALL STRUCTURAL ELEMENTS SHALL BE HOT DIPPED GALVANIZED STEEL.
10. CONTRACTOR SHALL MAKE A UTILITY "ONE CALL" TO LOCATE ALL UTILITIES PRIOR TO EXCAVATING.
11. IF ANY UNDERGROUND UTILITIES OR STRUCTURES EXIST BENEATH THE PROJECT AREA, CONTRACTOR MUST LOCATE IT AND CONTACT THE APPLICANT & THE OWNER'S REPRESENTATIVE.
12. OCCUPANCY IS LIMITED TO PERIODIC MAINTENANCE AND INSPECTION BY TECHNICIANS APPROXIMATELY 2 TIMES PER MONTH.
13. PRIOR TO THE INSTALLATION OF THE PROPOSED EQUIPMENT OR MODIFICATION OF THE EXISTING STRUCTURE, A STRUCTURAL ANALYSIS SHALL BE PERFORMED BY THE OWNER'S AGENT TO CERTIFY THAT THE EXISTING/PROPOSED COMMUNICATION STRUCTURE AND COMPONENTS ARE STRUCTURALLY ADEQUATE TO SUPPORT ALL EXISTING AND PROPOSED ANTENNAS, COAXIAL CABLES AND OTHER APPURTENANCES.
14. PROPERTY LINE INFORMATION WAS PREPARED USING DEEDS, TAX MAPS, AND PLANS OF RECORD AND SHOULD NOT BE CONSTRUED AS AN ACCURATE BOUNDARY SURVEY.
15. THIS PLAN IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
16. THE PROPOSED FACILITY WILL CAUSE ONLY A "DE MINIMIS" INCREASE IN STORMWATER RUNOFF. THEREFORE, NO DRAINAGE STRUCTURES ARE PROPOSED.
17. NO SIGNIFICANT NOISE, SMOKE, DUST, OR ODOR WILL RESULT FROM THIS FACILITY.
18. THE FACILITY IS UNMANNED AND NOT INTENDED FOR HUMAN HABITATION (NO HANDICAP ACCESS REQUIRED).
19. THE FACILITY IS UNMANNED AND DOES NOT REQUIRE POTABLE WATER OR SANITARY SERVICE.
20. POWER TO THE FACILITY WILL BE MONITORED BY A SEPARATE METER.

NOTE: STRUCTURAL ANALYSIS OF STRUCTURE PERFORMED INDEPENDENT FROM THESE DRAWINGS.

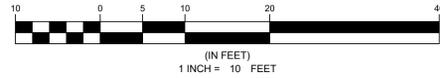
PROPOSED VERIZON WIRELESS 195' MONOPOLE

PROPOSED VERIZON WIRELESS EQUIPMENT

PROPOSED 7' TALL CHAIN-LINK FENCE

EXISTING GRADE
ELEV.= 0.0' AGL (741.7' AMSL)

1 ELEVATION
SCALE: 1" = 10'



ENGINEER

TOTALLY COMMITTED.

NB+C ENGINEERING SERVICES, LLC.
4435 WATERFRONT DRIVE, SUITE 100
GLEN ALLEN, VA 23060
804-548-6972

APPLICANT

1831 RADY COURT
RICHMOND, VA 23222

SITE INFORMATION

ARRINGTON
VERIZON RAW LAND
571 PHOENIX RD
ARRINGTON, VA 22922
NELSON COUNTY

REVISIONS

REV	DATE	DESCRIPTION	BY
2	02/24/20	REVISED	CCC
1	11/01/19	FINAL ZDs	LJS
0	10/23/19	PRELIMINARY ZDs	LJS

DESIGN RECORD

PROFESSIONAL STAMP

JOHN A. DAUGHTREY III
Lic. No. 0402052122
02/24/2020
PROFESSIONAL ENGINEER

ENGINEER

JOHN A. DAUGHTREY III, P.E.
VA PROFESSIONAL ENGINEER LIC. #052122

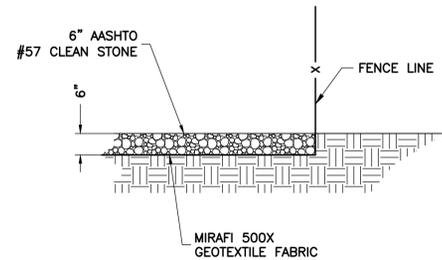
SHEET TITLE

TOWER ELEVATION & NOTES

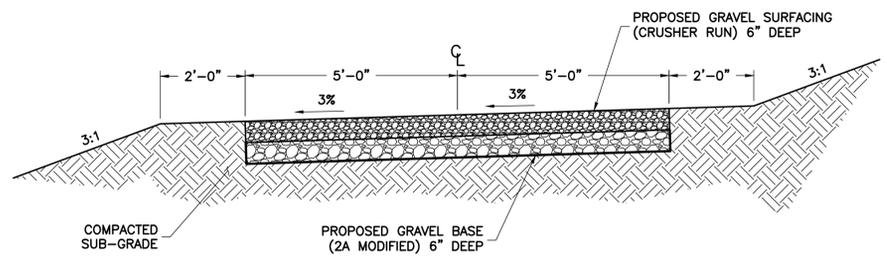
SHEET NUMBER

C-2



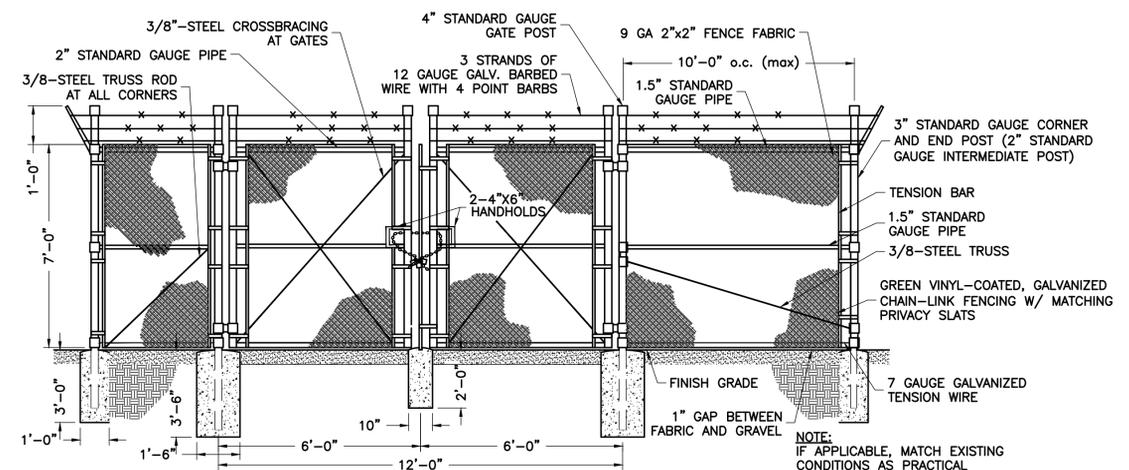


1 GRAVEL COMPOUND DETAIL
S-1 NTS

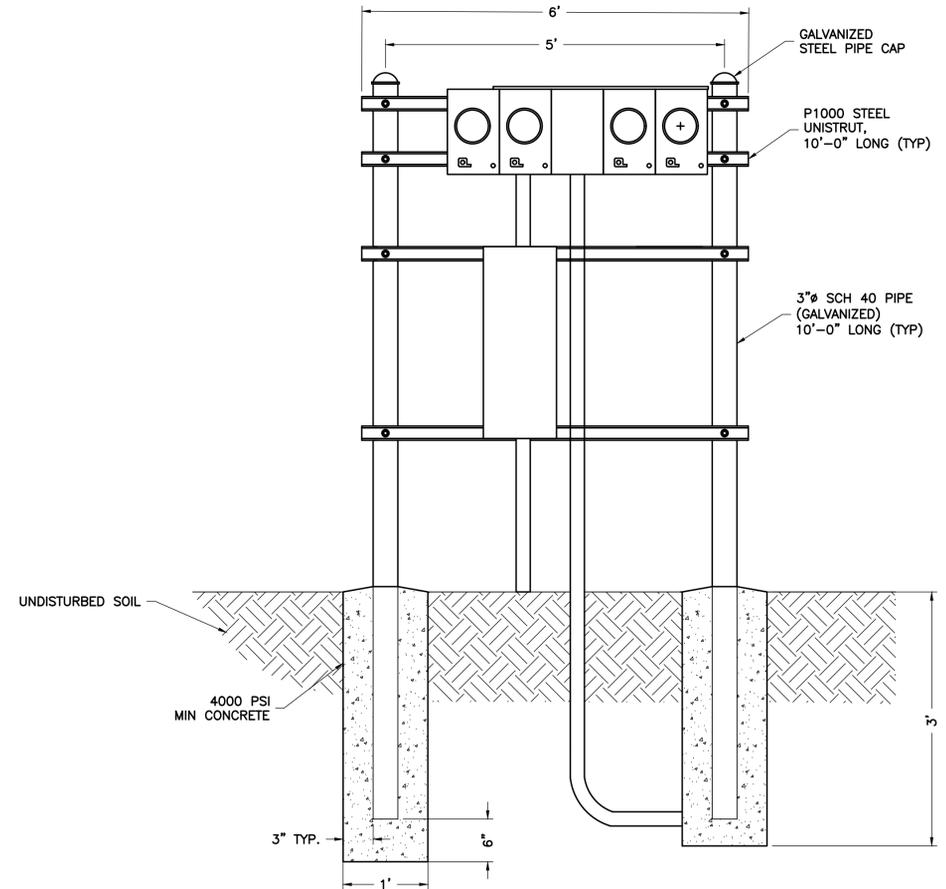


- NOTE:**
- CONTRACTOR TO USE 6" DEEP GRAVEL BASE (2A MODIFIED) AS MEANS OF ACCESS FOR ALL HEAVY CONSTRUCTION TRAFFIC. PROPOSED GRAVEL SURFACE (6" DEEP CRUSHER RUN) TO BE INSTALLED AFTER ALL MAJOR CONSTRUCTION HAS BEEN COMPLETED.
 - THE PROPOSED ROAD MUST BE KEYPED INTO THE EXISTING GRADE. THE FINAL FINISHED GRADE SHALL BE FLUSH WITH THE EXISTING GRADE TO ALLOW FOR PROPER DRAINAGE ACROSS THE ROAD.

2 PROPOSED GRAVEL DRIVEWAY TYPICAL SECTION
S-1 NTS



3 TYPICAL FENCE AND GATE DETAIL
S-1 NTS



4 4-GANG METER BANK H-FRAME
S-1 NTS

ENGINEER

NB+C
TOTALLY COMMITTED.

NB+C ENGINEERING SERVICES, LLC.
4435 WATERFRONT DRIVE, SUITE 100
GLEN ALLEN, VA 23060
804-548-4072

APPLICANT

verizon

1831 RADY COURT
RICHMOND, VA 23222

SITE INFORMATION

ARRINGTON
VERIZON RAW LAND
571 PHOENIX RD
ARRINGTON, VA 22922
NELSON COUNTY

DESIGN RECORD

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0	10/23/19	PRELIMINARY ZDs	LJS

PROFESSIONAL STAMP

ENGINEER

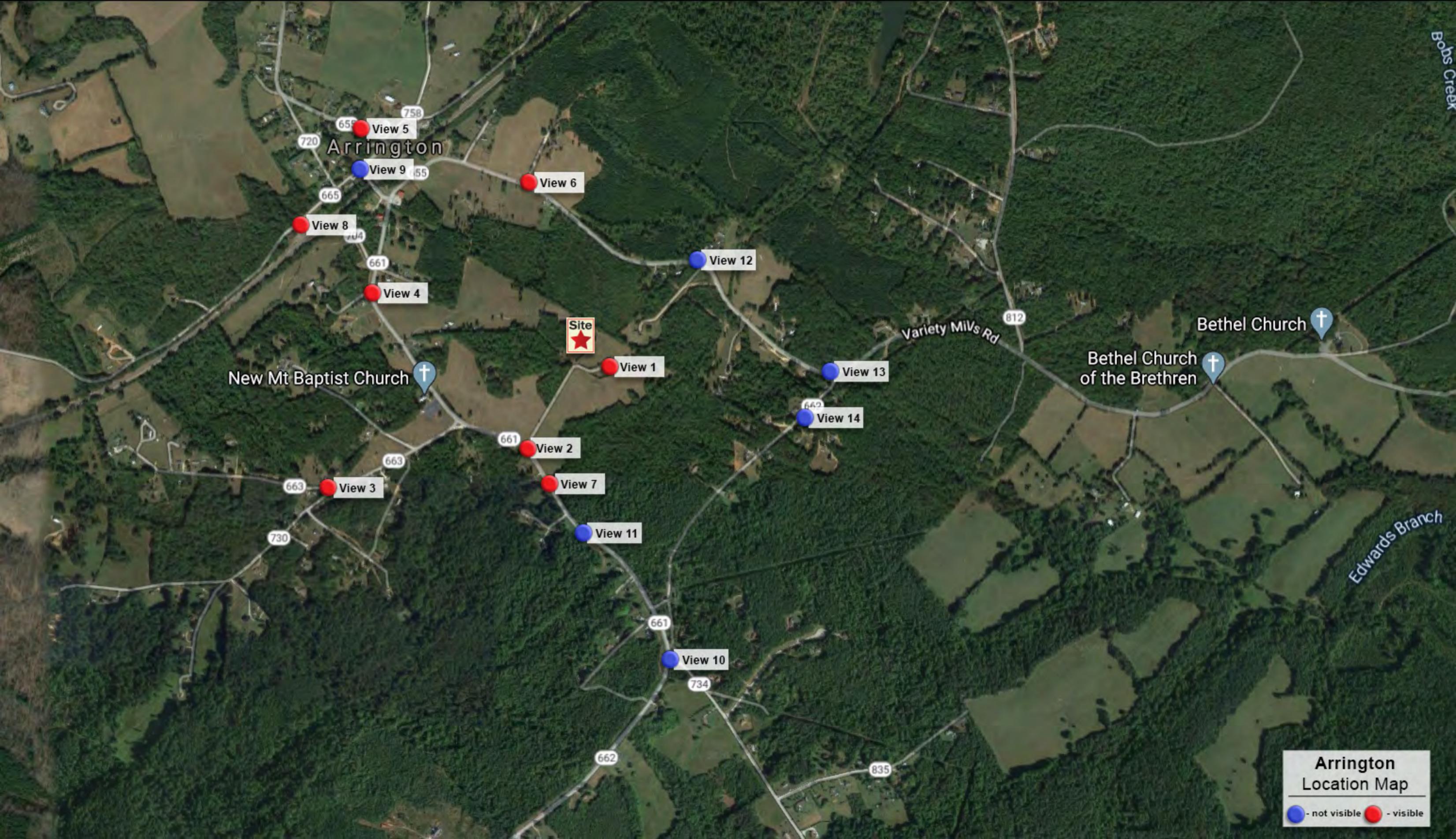
JOHN A. DAUGHTREY III, P.E.
VA PROFESSIONAL ENGINEER LIC. #052122

SHEET TITLE

CONSTRUCTION DETAILS

SHEET NUMBER

S-1



Arrington

View 5

View 9

View 6

View 8

View 4

View 12

Site

View 1

View 13

New Mt Baptist Church

View 14

View 2

View 7

Bethel Church of the Brethren

Bethel Church

View 3

View 11

View 10

Edwards Branch

Bobs Creek

**Arrington
Location Map**

● - not visible ● - visible



Site Name: Arrington
Wireless Communication Facility
571 Phoenix Road
Arrington, VA 22922

Photograph Information:
View 1-Private Residence
View from the South
Showing the Existing Site

NBC
TOTALLY COMMITTED



Site Name: Arrington
Wireless Communication Facility
571 Phoenix Road
Arrington, VA 22922

Photograph Information:
View 1-Private Residence
View from the South
Showing the Proposed Site

NBC
TOTALLY COMMITTED



Site Name: Arrington
Wireless Communication Facility
571 Phoenix Road
Arrington, VA 22922

Photograph Information:
View 2-Phoenix Road
View from the Southwest
Showing the Existing Site

NBC
TOTALLY COMMITTED



Site Name: Arrington
Wireless Communication Facility
571 Phoenix Road
Arrington, VA 22922

Photograph Information:
View 2-Phoenix Road
View from the Southwest
Showing the Proposed Site

NBC
TOTALLY COMMITTED



Site Name: Arrington
Wireless Communication Facility
571 Phoenix Road
Arrington, VA 22922

Photograph Information:
View 3-New Mountain Road
View from the Southwest
Showing the Existing Site

NBIC
TOTALLY COMMITTED



Site Name: Arrington
Wireless Communication Facility
571 Phoenix Road
Arrington, VA 22922

Photograph Information:
View 3-New Mountain Road
View from the Southwest
Showing the Proposed Site

NBIC
TOTALLY COMMITTED.



Site Name: Arrington
Wireless Communication Facility
571 Phoenix Road
Arrington, VA 22922

Photograph Information:
View 4-Phoenix Road
View from the Northwest
Showing the Existing Site

NBC
TOTALLY COMMITTED.



Site Name: Arrington
Wireless Communication Facility
571 Phoenix Road
Arrington, VA 22922

Photograph Information:
View 4-Phoenix Road
View from the Northwest
Showing the Proposed Site

NBC
TOTALLY COMMITTED.



Site Name: Arrington
Wireless Communication Facility
571 Phoenix Road
Arrington, VA 22922

Photograph Information:
View S-Arrington Road
View from the Northwest
Showing the Existing Site

NBC
TOTALLY COMMITTED



Site Name: Arrington
Wireless Communication Facility
571 Phoenix Road
Arrington, VA 22922

Photograph Information:
View S-Arrington Road
View from the Northwest
Showing the Proposed Site

NBC
TOTALLY COMMITTED



Site Name: Arrington
Wireless Communication Facility
571 Phoenix Road
Arrington, VA 22922

Photograph Information:
View 6-Variety Mills Road
View from the Northwest
Showing the Existing Site

NBIC[™]
TOTALLY COMMITTED.



Site Name: Arrington
Wireless Communication Facility
571 Phoenix Road
Arrington, VA 22922

Photograph Information:
View 6-Variety Mills Road
View from the Northwest
Showing the Proposed Site

NBC
TOTALLY COMMITTED.



Site Name: Arrington
Wireless Communication Facility
571 Phoenix Road
Arrington, VA 22922

Photograph Information:
View 7-Phoenix Road
View from the Southwest
Showing the Existing Site

NBIC[™]
TOTALLY COMMITTED.



Site Name: Arrington
Wireless Communication Facility
571 Phoenix Road
Arrington, VA 22922

Photograph Information:
View 7-Phoenix Road
View from the Southwest
Showing the Proposed Site

NBIC
TOTALLY COMMITTED.



Site Name: Arrington
Wireless Communication Facility
571 Phoenix Road
Arrington, VA 22922

Photograph Information:
View 8-Wilson Hill Road
View from the Northwest
[Showing the Existing Site](#)

NBIC
TOTALLY COMMITTED



Site Name: Arrington
Wireless Communication Facility
571 Phoenix Road
Arrington, VA 22922

Photograph Information:
View 8-Wilson Hill Road
View from the Northwest
Showing the Proposed Site

NBIC
TOTALLY COMMITTED



Site Name: Arrington
Wireless Communication Facility
571 Phoenix Road
Arrington, VA 22922

Photograph Information:
View 9-Variety Mill Exd
View from the Northwest
SITE NOT VISIBLE

NBIC[™]
TOTALLY COMMITTED



Site Name: Arrington
Wireless Communication Facility
571 Phoenix Road
Arrington, VA 22922

Photograph Information:
View 10-Phoenix Road
View from the Southeast
SITE NOT VISIBLE

NBIC
TOTALLY COMMITTED



Site Name: Arrington
Wireless Communication Facility
571 Phoenix Road
Arrington, VA 22922

Photograph Information:
View 11-Phoenix Road
View from the South
SITE NOT VISIBLE

NBIC
TOTALLY COMMITTED



Site Name: Arrington
Wireless Communication Facility
571 Phoenix Road
Arrington, VA 22922

Photograph Information:
View 12-Variety Mills Road
View from the Northeast
SITE NOT VISIBLE

NBIC
TOTALLY COMMITTED.



Site Name: Arrington
Wireless Communication Facility
571 Phoenix Road
Arrington, VA 22922

Photograph Information:
View 13-Variety Mills Road
View from the East
SITE NOT VISIBLE

NBIC
TOTALLY COMMITTED



Site Name: Arrington

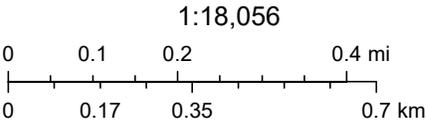
Wireless Communication Facility
571 Phoenix Road
Arrington, VA 22922

Photograph Information:
View 14-N Powells Island Road
View from the Southeast
SITE NOT VISIBLE

NBC
TOTALLY COMMITTED



July 16, 2020





COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION
4219 CAMPBELL AVENUE
LYNCHBURG, VIRGINIA 24501-4801

Stephen C. Brich, P. E.
COMMISSIONER

April 10, 2020

SUBMITTED VIA EMAIL ON APRIL 10, 2020

Mrs. Dylan M. Bishop, CZA, CFM
Director of Planning & Zoning
Nelson County Department of Planning & Zoning
P.O. Box 558, Lovingston, VA 22949

Ref: Arrington Area Verizon Cell Tower Site Plan: Route 661 - 571 Phoenix Road, Nelson County

Dear Dylan;

We offer the following comments on the preliminary site plans by NB+C revised February 24, 2020 for a proposed Verizon Cell Tower on Route 661 at 571 Phoenix Road in Arrington:

As access to the cell tower site will be by a shared entrance with the existing property, a VDOT Low Volume Commercial type entrance will be required. Please refer to the VDOT Road Design Manual, Appendix F regarding design requirements including measured stopping sight distance (plan and profile), and geometrics with minimum radii of 25 feet and a 20 foot entrance drive width with centerline entrance profile elevations. Drainage analysis for possible entrance pipe culvert and pavement design is also required along with right of way and roadway width and grade along each approach of Route 661.

Additional items to address include:

1. Cover Sheet (T-1):
 - a. Include VDOT Signature Block recommending approval.
 - b. Include legible Route Numbers on Vicinity Map.
 - c. Include sheet in Drawing Index for VDOT details and notes.
2. Plan Sheet (Z-1):
 - a. Include VDOT Route Number and Street Name.
3. VDOT Plan Sheet:
 - a. Provide entrance details, analysis and measured stopping sight distance mentioned above.
 - b. Include attached VDOT Standard Site Plan Notes.
 - c. Include details for a temporary construction entrance at Route 661.
 - d. Provide maintenance of traffic plan following attached guidance documents of Components of a MOT Plan along with the appropriate Typical Traffic Control Layout detail and notes from the current edition of the Virginia Work Area Protection Manual, Revision 2 September 2019.

Additional comments may be forthcoming based on the review of the revised site plans. An electronic copy (PDF Format) of the revised site plan is required. Please notify me if I may be of further assistance.

Sincerely,
Jeffery B. Kessler, PE
Area Land Use Engineer
(434) 856-8293

Attachments

VDOT STANDARD NOTES FOR SITE PLANS

Lynchburg District 2019

General

1. Trip Generation Data:
Use: _____ Total Daily Trips: _____ vpd
Gross Sq. Ft. _____ AM Peak Hour Trips: _____ vph
ITE Code: _____ PM Peak Hour Trips: _____ vph
2. All construction methods and materials within State maintained right of way shall be in accordance with current VDOT standards, specifications, current "Work Area Protection Manual", and all applicable location and design instructional and informational memoranda. Inspection documentation shall be provided consistent with the VDOT Inspection Documentation Best Practices Manual.
3. A Land Use Permit shall be obtained from VDOT before any construction is started within State maintained right of way limits, including access. All Land Use Permit applications must have approved plans, a copy of the plan approval letter, a check for the processing fee made payable to Treasurer of Virginia, and surety or bond in the required amount.
4. In accordance with the provisions of the Inspection Documentation Best Practices Manual, VDOT shall be notified prior to the start of any work within State maintained right of way. The contractor will coordinate with the VDOT point of contact at significant stages of the project.
5. Prior to any construction, the contractor shall consult the engineer who sealed the plans to verify the approval of the plans by all applicable federal, state, and local agencies.
6. The contractor shall have available a copy of the Land Use Permit(s), final approved plans, any approved revisions, and a copy of the approval letter on site.
7. The contractor shall verify the elevations of all points of connection or proposed work to existing curbs, sanitary lines, waterlines, etc., prior to construction.
8. Any errors, conflicts, or discrepancies found on the approved plans shall be reported to the engineer who sealed and signed the plans. VDOT shall be notified for resolution before proceeding further with the work, if the State maintained right of way is affected.
9. Design changes, specified material changes, and /or field changes from the approved plans shall be re-submitted to VDOT for review and approval, prior to proceeding with the work.
10. All entrances shall be constructed in accordance with current VDOT standards.
11. Sight distances at entrances and intersections shall be maintained at all times during and after construction. Any object or landscaping that obstructs driver view shall be relocated at the developer's expense or the entrance may be closed at VDOT's discretion.
12. The developer is responsible for any damage to existing roads, utilities, and any other installations already in place which occur as a result of project construction within or contiguous to State right of way limits..
13. All erosion and sediment control measures shall be the responsibility of the contractor in accordance with the Virginia Erosion & Sediment Control Handbook and Virginia Stormwater Management Program. An individual certified by the Virginia Department of Conservation and Recreation, holding a Responsible Land Disturber Certification, shall be in charge of the land disturbing activity and on the work site at all times.

14. Failure to follow MS-17 can result in closure of the construction entrance and termination of the LUP.
15. No structure shall be constructed on VDOT rights of way unless shown on VDOT approved construction plans or covered by a VDOT Land Use Permit. All fixed objects such as signs, utility cabinets, pedestals, and streetlights shall be located in accordance with clear zone requirements, as noted in the Road Design Manual. There shall not be any cabinets, pedestals, or fire hydrants located on the shoulder.
16. The developer is responsible for furnishing and installing all signs for the proposed development. The contractor shall contact VDOT to establish locations for stop signs and stop bars.
17. All construction debris, materials, dumpsters, etc. shall be located outside the right of way.
18. Flowers, shrubs, and trees shall not be placed within State maintained right of way limits without an approved set of plans and an approved planting agreement. No irrigation (sprinkler) systems, brick columns, endwalls, and/or brick signs will be constructed or installed within State maintained right of way limits without a permit. Any of the above items found in the right of way without a permit shall be removed, and all costs of the removal shall be borne by the owner and/or developer.
19. VDOT shall not be responsible for the maintenance of any stormwater management facility or outfall structure located outside of State maintained right of way limits and shall be absolved from all responsibilities, damages and liabilities as a result of such.
20. The contractor shall be responsible for locating and protecting all underground and overhead utilities, whether or not they are shown on the plans, prior to starting work. The contractor will be responsible for repairs, at his own expense, of any utilities damaged by his construction methods. MISS UTILITY must be contacted at **811** at least 72 hours prior to the commencement of construction. The developer shall be responsible for the relocation of any utility within existing or proposed right of way.
21. The permittee is responsible for pursuing and obtaining any and all environmental permits including, but not limited to, wetlands, waters of the US, water quality, threatened and endangered species, hazardous materials, and cultural resources, required to pursue the proposed activity before any construction is started within State maintained right of way limits. Documents related to these activities shall be submitted with the Land Use Permit application.
22. The Commonwealth Transportation Board, members of the Board, the Commonwealth and all Commonwealth employees, agents, and offices, shall be absolved from all responsibilities, damages and liabilities as a result of work arising from the exercise of the privileges granted by plan and/or permit approval.
23. One (1) set of as-built construction plans shall be submitted prior to release of surety.
24. VDOT and County approval of construction plans does not preclude the right to require additional facilities as deemed necessary in the field prior to release of surety.

Utilities

25. Installation of pipe culverts and storm sewers shall conform to VDOT Standard PB-1.
26. All storm sewer shall be a minimum diameter of 15 inches.
27. All pre-cast units shall be VDOT approved. Certification and VDOT stamp will be required on all units. Shop drawings, geotechnical data, soil bearing capacity, and plan view shall be submitted as a package for VDOT review and approval.
28. Authorized underground utility installations shall maintain a minimum of 36 inches of cover, including under ditches.

Pavement

29. Asphalt pavement widening and/or connection shall conform to VDOT Standard WP-2.
30. All pavement markings eradicated during construction must be overlaid with surface mix or slurry seal #4.
31. All vegetation and organic material shall be removed from the right of way limits prior to conditioning of the sub-grade.
32. When unsuitable materials for sub-grades and other roadway construction are encountered during construction, the contractor shall contact a geotechnical engineer and VDOT. Such materials shall be undercut and backfilled as directed by a geotechnical engineer, according to VDOT specifications.
33. The necessity for additional VDOT standard under drains shall be determined at time of sub-grade inspection.
34. The scheduling of aggregate base installation and subsequent paving activities shall accommodate forecast weather conditions according to VDOT "Road and Bridge Specifications".
35. A prime coat seal between the aggregate base and bituminous concrete shall be required per VDOT standards and specifications.
36. VDOT shall have approved all base courses for depth and template and performed the required visual, proof roll, compaction, and any additional inspections as determined by the VDOT Inspector prior to placement of any surface courses.

Miscellaneous

40. Overhead utility installations within limited access and non limited access right of way shall be installed in accordance with VDOT Land Use Permit Regulations.
41. All roadway lighting shall be installed in accordance with IESNA lighting criteria and in accordance with VDOT Road and Bridge Specifications. All roadway lighting shall adhere to the Virginia Lighting Law.
42. Contact Traffic Engineering Operations a minimum of 48 hours in advance whenever excavation is within 500 feet of a traffic signal, so the lines can be marked.
43. Contact Traffic Operations Center Maintenance Manager a minimum of 48 hours in advance of all construction activities located within Limited Access Highways.
44. Contact Traffic Engineering Operations a minimum of 48 hours in advance of guardrail placement. The final location of guardrail will be determined upon project completion.

Minimum Components of Maintenance of Traffic (MOT) Plan

The following items need be included as part of the MOT Plan Submitted to VDOT:

- Narrative description of work activity to be performed.
- Routes where work is to be performed.
- Time of day when work is to be performed.*
- Projected number of days required to complete the work covered under permit involving traffic control.
- Statement acknowledging the contractor's responsibility to notify SW Region Traffic Operations Center (540-375-0170) daily upon entering and exiting the roadway.
- Statement acknowledging the contractor's responsibility to contact VDOT Traffic Engineering Section (James Holt – 434-856-8158) a minimum of 7 day prior to commencement of installation activities within 1,000 feet of signalized intersections, flashing signs, or other VDOT electrical facilities. This includes excavation, trenching, or boring.
- Statement acknowledging the contractor's responsibility to contact VDOT Land Use Section Representative, Jeff Kessler (434.856.8293) , prior to commencing work within VDOT right-of-way.
- Name and contact information for contractor's field supervisor.
- Method of traffic control to be utilized. References to the applicable Rev. 2: Sep.1, 2019 of the 2011 Virginia Work Area Protection Manual (VWAPM) Typical Traffic Control (TTC) figures and notes shall be provided. Include traffic control for any intersecting streets affected. Additional details may be required depending on complexity of the work activity and specific work zone needs.
Website: http://www.virginiadot.org/business/resources/traffic_engineering/workzone/2011_WAPM_Rev_2.pdf
- Statement of verification that all traffic control devices used conform to the 2009 Manual on Uniform Traffic Control Devices (MUTCD), the Virginia Supplement to The 2009 Manual on Uniform Traffic Control Devices for Streets and Highways 2011 Edition, and National Cooperative Highway Research Program (NCHRP) Report 350. NCHRP 350 Website: www.virginiadot.org/business/locdes/nchrp350-index.asp
MUTCD Website: <http://mutcd.fhwa.dot.gov/>
- Identification of provisions that will be taken to ensure the safe passage of emergency vehicles at all times.
- Statement acknowledging that work zones requiring flagging operations at signalized intersections shall involve coordination with law enforcement agencies and VDOT prior to work commencing.

*VDOT Land Use Regulations require that work be performed during non-peak hours of 9:00 AM to 3:30 PM Monday – Friday on all public roads classified as “arterial” or “collector”, unless otherwise approved by VDOT. All public roads classified as “local” roads shall have unrestricted work hours and days. Permitted nonemergency work will not be allowed on public roads classified as “arterial” or “collector” from noon on the preceding weekday through the following state observed holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day

Register scheduled lane & shoulder closures or impediments with VDOT's Lane Closure Advisory Management System (LCAMS) along Routes 29, 58, 360 & 460 and all limited access right of way roadway sections in the Lynchburg VDOT District. <http://www.openlcams.com/OpenCones/app/?wicket:bookmarkablePage=:com.orci.OpenCones.security.LoginPage>

Dylan Bishop

From: Eick, Thomas <tom.eick@vdh.virginia.gov>
Sent: Monday, July 06, 2020 4:16 PM
To: Dylan Bishop
Subject: Re: July Public Hearings

Hi Dylan,

Thanks for sending those review materials. **I have no comment on the tower proposal.** It sounds like the Powell building in Faber has an existing private well and septic system. If BI would need a review of the septic system for building permit purposes an OSE would need to do that since this is commercial. Ditto for the Common Grounds SUP request.

The Johnston travel trailer SUP request looks like there is a designated area for a drainfield adjacent to the proposed location for the trailer. If existing well and septic are not present, the owner would need to secure a permit to construct those through the private sector, since this would not be a primary place of residence.

Lastly, the Tatarka zoning change request mentions additional parking in a large field area. The former owners of this property used this area for the location of their repair drainfield. Further research would be needed to determine what, if any, part of the field area is suitable for parking.

Tom

On Thu, Jul 2, 2020 at 10:51 AM Dylan Bishop <dbishop@nelsoncounty.org> wrote:

No worries! I attached the pdf versions to this email just in case. Let me know you got them. Thank you! Hope you have been doing well – have a great July 4th weekend!

Dylan

Dylan Bishop

From: Dropbox <no-reply@dropbox.com>
Sent: Wednesday, July 01, 2020 11:58 AM
To: Dylan Bishop
Subject: Charles Miller commented on "Class C Tower 2020-01.pdf"



Charles Miller added 1 new comment on [Class C Tower 2020-01.pdf](#)



Charles Miller July 1

Building Inspections has no comments on the tower being put there.

Michael Hodgson

PO Bo 8
Arrington, VA 22922
434-263-4218
mhodgsona@gmail.com

July 16, 2020

County of Nelson
Planning and Zoning Dept.
P.O. Box 558
Lovingson, VA 22949

Dear Ms. Bishop,

I'm writing in reference to the hearing on Mr. Reese's application for permission to have a 199 foot Verizon cell tower built on his property. First, I would like to state that we, my wife and I, own and use a cell phone and we also are Verizon shareholders. We have concerns with the method used by Verizon in selecting the site for the tower and with the negative effect the tower will have on the property values of the surrounding homes.

When I first learned of the proposed tower I wrote Verizon and shortly thereafter I received a phone call from a Verizon employee. I asked the Verizon employee how Mr. Reeves' property was selected for the tower, since I could find not one other property owner in the area who had been contacted by Verizon concerning a tower. I was told that Mr Reese, a retired Verizon employee, had contacted Verizon through their website stating his desire to have Verizon lease his property for the installation of a cell tower. Clearly, Verizon has shown no due diligence in its site selection process. It went straight to Mr. Reese's property, showing no concern for the effect this decision would have on the surrounding Nelson County homeowners.

Verizon increases its bottom line; Mr. Reeves has a lease probably valued at 10's of thousands of dollars per year; and the surrounding Nelson County homeowners have the value of their property decreased by approximately 20% according to numerous real estate studies.

I suggest that the Planning Commission refuse this application and that Verizon undertake a comprehensive site selection process that includes giving priority to areas with no or little nearby residential housing. This will insure that the new tower will have minimum impact on the value of surrounding properties.

Sincerely yours,

Mike and Clare Hodgson

Nelson County Planning Commission

To: Planning Commission

From: Dylan M. Bishop, Director of Planning & Zoning *DMB*

Date: July 22, 2020

Re: Rezoning #2020-01 – R-1 to A-1 – Dan & Terri Tatarka – 279 Avon Road, Afton

BACKGROUND: This is a request to rezone property from Residential, R-1 to Agricultural, A-1 to allow a farm brewery use.

Public Hearings Scheduled: P/C – July 22, 2020; Board – TBD

Location / Election District: 279 Avon Road / North District

Tax Map Number(s) / Total acreage: 6-A-45 / 2.29 acres +/- total

Applicant Contact Information: Dan & Terri Tatarka, 279 Avon Road, Afton, VA 22920, 434-270-0404

Comments: Currently the property is home to Wild Man Dan Bed and Breakfast, with a small-scale brewery operation that is only open to guests of the BNB, as well as a small-scale wholesale bakery operation. Additional meeting space above the current structure is currently being constructed to accommodate guests of the BNB, and potentially utilized for the farm brewery operation. The applicants are proposing the rezoning from R-1 to A-1 to allow the conversion of the current brewery operation to a farm brewery use that is open to the public. According to the applicants, approximately an acre of this property is used for agricultural crop production. Although this property is adjoined by R-1 zoning, the A-1 zoning district is also consistent with the zoning on other parcels in the vicinity.

DISCUSSION:

Land Use / Floodplain: This area is residential and agricultural in nature. Zoning in the vicinity is R-1 and A-1, with one parcel zoned B-1. There are no 100-year floodplains on this property.

Access / Traffic / Parking: Property is accessed from Avon Road between Rockfish Valley Highway (Route 151) and Tanbark Drive. According to a letter provided by VDOT, the use will require a VDOT commercial entrance. The applicants are currently working towards providing the requested analysis for further review.

Utilities: The property is currently served by private well and septic. Comments provided by the Health Department indicate that the previous owners had a repair drainfield installed in the area denoted "Additional Parking" on the plat.

Proffers / Conditions: Proffers submitted by the applicant are attached with this report.

The Planning Commission may accept and recommend, and the Board of Supervisors may accept or impose, reasonable conditions upon the approval of the rezoning request. The criteria for conditions associated with rezoning are below:

- (a) The rezoning itself must give rise to the need for conditions.
- (b) All conditions shall have a reasonable relation to the rezoning.
- (c) No condition shall include a cash contribution to the County.
- (d) No condition shall include a mandatory dedication of real or personal property for open space, parks, schools, fire stations or other public facilities except those provided for by law.
- (e) No condition shall include payment for or construction of off-site improvements except those otherwise provided for by law.
- (f) All conditions shall relate to the physical development or physical operation of the property.
- (g) All conditions shall be in conformity with the County's comprehensive plan.
- (h) No condition shall be used for the purpose of discrimination in housing.

Comprehensive Plan: This property is located in an area designated rural residential in the Comprehensive Plan, "which would allow low density residential and compatible non residential uses in rural areas where agriculture is not the predominant use. Clustering of residents further protects rural areas."

RECOMMENDATION: The approval of requests should be based on one or more of the following factors:

1. Good Zoning Practice
2. Public Necessity
3. General Welfare
4. Convenience

Attachments:

Application
Narrative
Proffers
Plat / Site Plan
Zoning Map
Home Occupation Permits
Comments



PERMIT APPLICATION:

Nelson County Department of Planning & Zoning

TO THE ZONING ADMINISTRATOR: Rezoning # 2020-01
application type application number

1. The undersigned hereby petitions the Planning Commission and/or Board of Supervisors for approval of the following (check appropriate box):

- Rezoning from R-1 to A-1
- Subdivision – Preliminary
- Subdivision – Final
- Major Site Plan
- Minor Site Plan
- Conditional Rezoning from _____ to _____
- Site Plan – Preliminary (optional)
- Site Plan – Final
- Special Use Permit
- Other: _____

- Pursuant to Article 16, Section _____ of the Nelson County Zoning Ordinance.
- Pursuant to Section _____, Subsection _____ of the Nelson County Subdivision Ordinance.

Reason(s) for request: WE WOULD LIKE TO HAVE THE ECONOMIC ADVANTAGE OF USING AGRICULTURAL RESOURCES TO IMPROVE, CONSERVE AND MAINTAIN THE PROPERTY THAT CONSISTS OF AN 1870'S FARMHOUSE AND OLD BARN WHICH IS RECOGNIZED BY MANY IN THE COMMUNITY AS A LAND MARK.
 (Please use reverse or attach additional sheet if more space is needed.)

2. Applicant(s) and Property Owner(s):
 (Please provide names of applicants and property owners and indicate applicable title; if applicant is not the property owner, please show relationship, i.e. lessee, contract purchaser, etc.)

Applicant Property Owner Name: DANIEL TATARKA
 Mailing Address: 279 AVON RD., AFTON, VA 22920
 Telephone # 434-270-0704 E-mail Address: DAN@TATARKA.ME
 Relationship (if applicable): _____

Applicant Property Owner Name: TERRI TATARKA
 Mailing Address: SAME
 Telephone # SAME E-mail Address: TERRI@TATARKA.ME
 Relationship (if applicable): SPOUSE

(Please attach additional sheet if more space is needed for applicant(s) / property owner(s) info.)

3. Location and Characteristics of Subject Property:

a. Address of property (specific location, route numbers, street names, voting district, etc.):

279 AVON RD., AFTON, VA 22920

b. Official tax map number: 6-A-45

c. Acreage of property: 2.293

d. Present use: BED & BREAKFAST, BREWERY

e. Present zoning classification: R-1

f. Zoning classification of surrounding properties: A-1, R-1,

4. Names of Adjacent Property Owners: EVAN & TERRI TATARKA

5. Affidavit: The undersigned applicant(s) and/or property owner(s) certifies that this application and the foregoing answers, statements, and other information herewith submitted are, in all respects, true and correct to the best of their knowledge and belief. Also, the applicant(s) and/or property owner(s) gives permission for members of the Planning Commission, Board of Supervisors, and County Staff to visit and view the subject property.

Signature: [Signature] Printed Name: DANIEL TATARKA

Signature: [Signature] Printed Name: TERRI TATARKA

(Please attach additional sheet if more space is needed for applicant(s) / property owner(s) signatures.)

6. Additional information: *(Please attach separate sheet for additional details, explanations, etc.)*

7. Please note: In the event of cancellation or postponement at your request after the initial newspaper advertisement for this application, an additional fee will apply for re-advertisement (determined by the actual cost of the ad). This fee will not apply in cases of Planning Commission or Board of Supervisors deferment.

..... TO BE COMPLETED BY PLANNING & ZONING STAFF

o Completed application and fee (\$ 300) received on 6/22/2020

o Hearing Notice published on _____

o Planning Commission action: Date of Meeting / Hearing: _____

Recommendation: _____

o Board of Supervisors action: Date of Hearing: _____ Date of Decision: _____

Action: _____

Good morning,

Thank you for your email. We have answered your questions and provided information to the best of our ability. We thank you and the board for rezoning consideration and ask that you please keep us informed and allow us to address concerns.

- The current brewery operation is not open to the public - are your plans to open a farm brewery with the agricultural zoning designation? If so, describe the process.
 - o Yes, we would like to open a farm brewery
 - o We are currently building out the second floor of our brew barn for bnb meeting space, and thought that it might serve a multipurpose if we were open for limited hours.
 - o We have areas for parking including a field on the property and have contacted with the church (Rodes United Methodist) for possible parking across the street. We have worked with them previously on small gathering events that the BNB hosted.
 - o We have discussed the process with ABC and once zoning is approved, we will resubmit for limited brewery license as directed by the ABC.
 - o Our planned hours would be Mon, Thur, Fri 3-7pm, Sat-Sun Noon-7pm
- Can you describe the current and/or proposed agricultural operation(s) on the property?
 - o Currently, Hops, wheat, apples, blackberries, blueberries, strawberries, rhubarb, vegetables, spices, and herbs. Currently over an acre.
- If you are planning any additions or improvements, please describe those as well.
 - o We are currently building additional meeting space which could be utilized for brewery guests.
- A description of the current uses (BNB, brewery, bakery, etc) and how they function would also be helpful. Capacity, hours, parking, etc.
 - o BNB: 5 rooms (10 people), open weekends only (Friday-Monday)
 - o Brewery: Distribution sales and private events-1/2-barrel brew system
 - o Bakery: A new venture for wholesale, small scale-we applied for this right when we were closed due to Covid19. We just recently were notified that we were approved. We plan the bakery operation (Tuesday-Wed-Thurs only). This will not affect traffic to the property.
 - o Parking: Currently we have a gravel/ blacktop area that is 95 x 40ft and another grassy area 123 x 20 ft. We have a large lower field that can be converted for additional parking.
 - o Comment: Due to the current Covid-19 environment we have lost revenue at the B&B and brewery. We have been following all state requests and guidelines and are struggling to remain afloat without revenue. Changing to a farm brewery and open to the public limited hours allows us a small revenue stream that may support the much slower to recover BNB. It allows us to use agricultural products from our property in our product. It allows us some flexibility in advertising. It provides tax incentives and access to additional funding options.
 - o This property has a long history of community and public access from feed and seed store, market, business entities, and school. Agricultural properties are next door and across the street.
 - o We've been a community member for 5 years and feel we bring real value to the county.
- The plat for the property is attached
- Let us know when and how to submit the public hearing fee

Best Regards,

Dan Tatarka
Tatarka Enterprises Inc.
279 Avon Rd.
Afton, VA 22920

Dylan Bishop

From: Terri Tatarka <terri@tatarka.me>
Sent: Wednesday, July 15, 2020 12:43 PM
To: Dylan Bishop
Subject: Re: Tatarka

Thank you for your email. Could you take a moment to review this list and give any feedback?

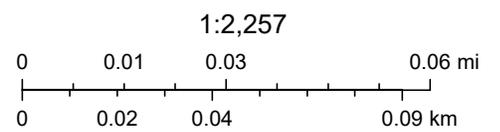
Yes, we would like to Proffer the following:

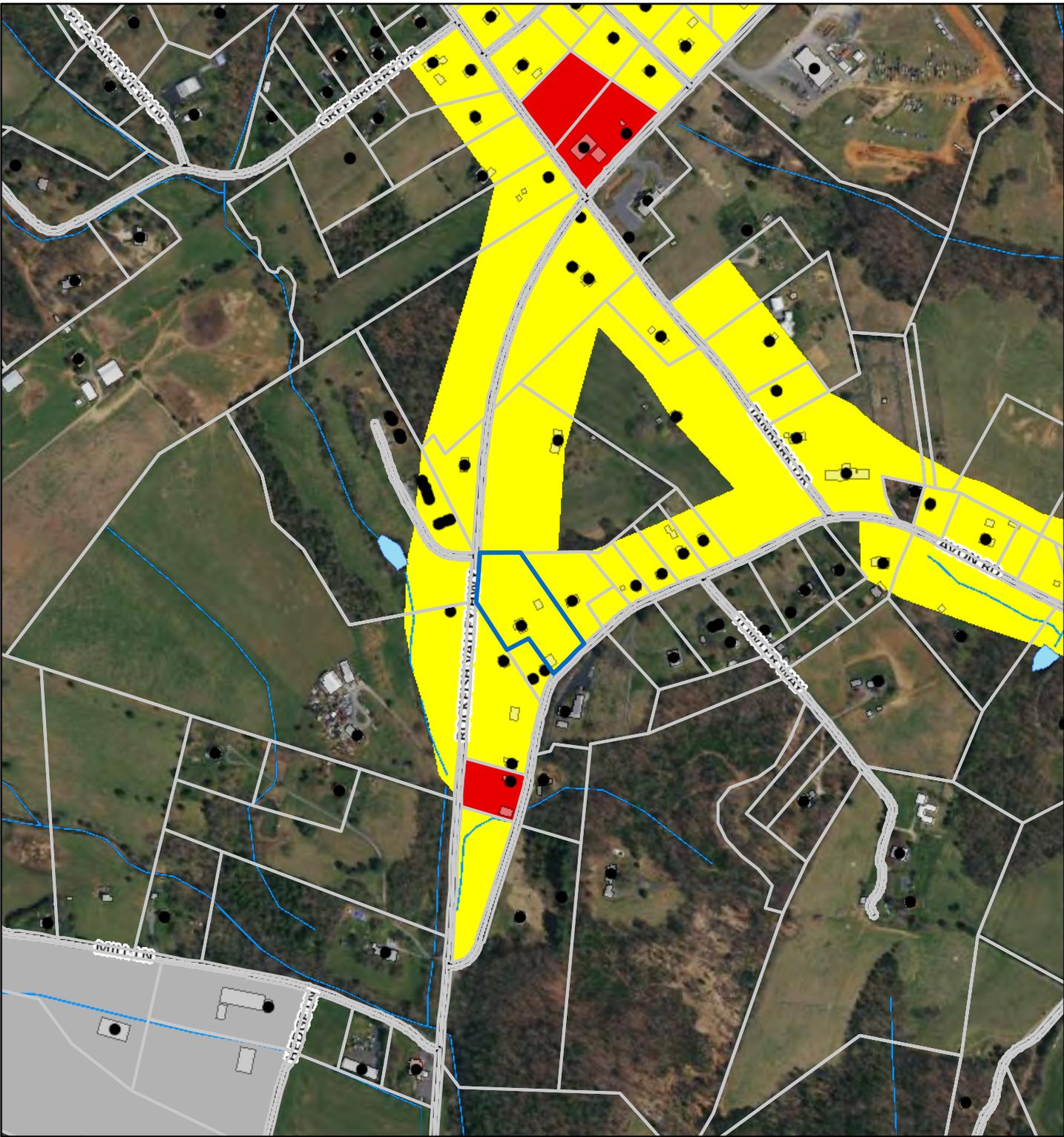
- * We will comply with the VDOT requirements unless costs are prohibitive.
- * We will consider any recommendations/suggestions from the board and community.
- * We will Have Limited Hours of Operation when open to the public:
Mon - Tues (closed) Wed-Thurs-Fri (3pm-7pm) Sat (12-7pm) Sun (12-5pm)
- * We will maintain an entrance barrier when closed to the public.
- * We do not plan to add any additional manufacturing buildings on the property.
- * We will be considerate of Rhodes Church events and their schedules-as we have proven to be during our 5 years in operation thus far.
- * We understand the noise ordinance completely, as we just spent a year with Meth production and loud neighbors who rented next door to us, and we will comply and be a good neighbor.

What do you think? Does this follow other proffers you have seen? This is new territory for us...as we initially started as homebrewers...and then Va changed the laws on us. So, with each new challenge, we are forced to make/ask for help and changes from our community. Nelson has been very supportive of us to date, and in order to remain in business after this Covid shutdown, we require this next step.
Terri and WildManDan

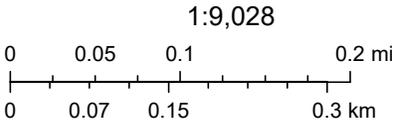


July 15, 2020





July 15, 2020



Date received:



Zoning Approval: # 2020-11

to be completed by Planning & Zoning staff

80 Front Street – PO Box 558 - Lovington, VA 22949 (434) 263-7090 [Phone] ▪ (434) 263-7086 [Fax]

PARCEL INFORMATION	
Address / Location:	279 Avon Rd. Afton, VA 22920
Property Owner:	Dan & Terri Tatarka
Description:	Wholesale bakery – home occupation

YOUR CONTACT INFORMATION			
Name: Terri Tatarka			
Address: 279 Avon Rd		City/State/Zip: Afton, VA 22920	
Home/Work Phone: 434-270-0404	Cell: 540-798-8829	Fax:	
Email: terri@tatarka.me			

Signature: Terri Tatarka

Digitally signed by Terri Tatarka
Date: 2020.04.22 19:47:53
-04'00'

Date: _____

TO BE FILLED BY COUNTY STAFF

Acres: ~2.3

Zoning District: R-1

Floodplain on Property:

Yes No

Structure in Floodplain:

Yes No

Minimum Required Setbacks:

Front:

Rear:

N/A

Side:

(minimum of left + right setbacks)

Right:

Left:

Accessory: 15' from all property lines and behind front yard setback line

CONDITIONS:

Per Section 5-1-3, home occupations (class A) are permitted in the R-1 District. "Preparation of food products for sale" for which there shall be no display is permitted. All other local, state, federal requirements shall be met.

All other applicable local, state, and federal regulations shall be complied with.

ZONING APPROVAL:

5/6/20

Date

Dylan M. Bishop

Director of Planning & Zoning



Nelson County Department of Planning & Zoning

80 Front Street, Lovingson, VA 22949 | P.O. Box 558 (mail) | 434-263-7090 (office) | 434-263-7086 (fax)

HOME OCCUPATION APPLICATION

Date: November 24, 2016

Owner: Daniel Tatarka

Applicant: Tatarka Enterprises, Inc. DBA WildManDan

Applicant

Address: 279 Avon Rd. Afton, VA 22920

Phone: (434) 270-0404

Tax Map Parcel: 6-A-45

Acres: 2.29

Zoning District(s): Residential (R-1)

Description of Proposed Home Occupation: *(please see page 2 for instructions)*

A. Number of Employees: Zero (0). This operation will solely be operated by the owners/ family.

B. Description of Products: Craft beer

C. Description of Services: Craft Beer. Available only to guests staying at the Bed and Breakfast

D. General Description of Production beer to sell processes: A small 10 gallon brewing system will

be used in an existing metal building on site. Some renovations will be made to the building as

required to meet Federal, State and Local regulations to operate a brewery.

E. Method of product Sales: Being exclusive to the B&B guests no additional traffic will be generated.

F. Location, type, and signage: The operation will be utilizing an existing building and there will be

no additional signage than the existing B&B.

[County use only]

CONDITIONS:

APPROVAL:


Director of Planning & Zoning

12/1/2016
Date

Stormy Hopkins

From: dan tatarka <dan@tatarka.me>
Sent: Tuesday, November 29, 2016 4:37 PM
To: Tim Padalino
Cc: Terri Tatarka; Stormy Hopkins
Subject: Re: WildManDan - NelsonCo_Home-Occupation-Application_03-2016.pdf

Hi Tim,

First of all I want to thank you for your quick reply. to answer your questions:

- The proposed brewing operation will involve no retail sales to members of the public (please confirm that all sales strictly limited to guests / transient lodgers)

That is correct. Only our guests will be able to purchase the beer made on the property. We realize that in the future if we want to expand beyond this we will need to look for a suitable commercial solution.

- The proposed Class A home occupation will comply with applicable signage restrictions in the Residential R-1 District (note: I see that Description F notes "no additional signage" in conjunction with the brewing operation)

Yes, we understand the restriction on the signage and do not plan to add another sign. We currently have one for the B&B and it will remain as is.

- Class A home occupations are defined...meaning there can be no outside storage of brewing materials or other outside display of the brewing operation, per this definition (Zoning Ordinance Article 2)

Yes, we understand and given that we have 2 utility buildings (garage and barn) we more than adequate space to store all supplies inside these structures.

- Your reference to building renovation may be subject to Building Code requirements, administered through the Nelson County Building Inspections office. I am sharing your application and this correspondence with that Department (Mr. David Thompson, Building Official) to help ensure that appropriate steps are taken, as may be applicable.

We appreciate that effort because it will help us to move forward with our plans. Our intention has always been to discuss our plans with all regulatory authorities so we can get the guidance needed to minimize waste of our efforts and resources before we begin.

Thank you again.

Best regards,

Tim Padalino

From: Tim Padalino
Sent: Monday, November 28, 2016 10:32 AM
To: 'dan tatarka'; Terri Tatarka
Cc: Stormy Hopkins
Subject: RE: WildManDan - NelsonCo_Home-Occupation-Application_03-2016.pdf

Hello Dan and Terri,

Thank you for submitting this paperwork in conjunction with your proposed pico-brewery.

I have a question about the description you provided. In order to accurately determine if this use is permissible as part of your ongoing "Class A home occupation" (pursuant to Zoning Ordinance Article 5-1-3), you will need to clarify / confirm in writing the following details:

- The proposed brewing operation will involve no retail sales to members of the public (please confirm that all sales strictly limited to guests / transient lodgers)
- The proposed Class A home occupation will comply with applicable signage restrictions in the Residential R-1 District (note: I see that Description F notes "no additional signage" in conjunction with the brewing operation)

Please also consider the following:

- Class A home occupations are defined as follows: "An occupation carried on by the occupant of a dwelling as a secondary use in connection with which there is no display, and not more than one (1) person is employed, other than members of the family residing on the premises, such as the tailoring of garments, the preparation of food products for sale, and similar activities, beauty parlors, professional offices such as medical, dental, legal, engineering, and architectural offices conducted within a dwelling or accessory building by the occupant." The emphasis I wish to make is "no display" - meaning there can be no outside storage of brewing materials or other outside display of the brewing operation, per this definition (Zoning Ordinance Article 2).
- Your reference to building renovation may be subject to Building Code requirements, administered through the Nelson County Building Inspections office. I am sharing your application and this correspondence with that Department (Mr. David Thompson, Building Official) to help ensure that appropriate steps are taken, as may be applicable.

Thanks in advance for clarifying / confirming the above; and I'll wait for your response before taking any further action on the application.

Thanks again!

Tim Padalino
[434]-263-7090

-----Original Message-----

From: dan tatarka [mailto:dan@tatarka.me]
Sent: Thursday, November 24, 2016 11:55 AM
To: Tim Padalino
Cc: Terri Tatarka
Subject: WildManDan - NelsonCo_Home-Occupation-Application_03-2016.pdf



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION
4218 CAMPBELL AVENUE
LYNCHBURG, VIRGINIA 24601-4801

Stephen C. Brich, P. E.
COMMISSIONER

July 1, 2020

DELIVERED VIA EMAIL ON JULY 1, 2020

Mrs. Dylan M. Bishop, CZA, CFM
Director of Planning & Zoning
Nelson County Department of Planning & Zoning
P.O. Box 558
Lovingston, VA 22949

RE: Rezoning Request 2020-01 Tatarka (TM#6-A-45)

Dear Dylan;

We have reviewed the Rezoning Request 2020-01 by Daniel Tatarka for the proposed uses that include a Farm Brewery, BNB, Meeting Spaces, and Bakery at 279 Avon Road, Avon, Va. TM# 6-A-45.

Such use will require a commercial entrance, designed satisfying VDOT's commercial entrance requirements by a Virginia licensed Professional Engineer or appropriately certified Virginia Land Surveyor and constructed under a VDOT Land Use Permit.

Based on the limited information submitted with the request for rezoning, VDOT recommends the following analyses be prepared as part of this rezoning request to determine if this location can satisfy the requirements for a commercial entrance, what conditions may be placed on it, and if improvements to the roadway system at the owner's expense are required. This information is not only useful to Nelson County and VDOT, but will assist the owner in determining the feasibility, scope and cost of this project.

- Provide combined daily and peak hour trip generation of the existing, proposed and future traffic generators sharing the commercial entrance.
- Provide turn lane evaluations for proposed and future development sharing the commercial entrance, with a phasing plan for future construction.
- Provide measured sight distances (SSDS & ISD).
- Provide access management spacing.
- Provide geometric designs based on proposed and future development.
- Determine any sight distance easements and additional right-of-way as necessary to accommodate proposed and future designs.

Please notify me if you have any questions or if I may be of further assistance.

Sincerely,

Jeffery B. Kessler, ALUC

Jeffery B. Kessler, PE
Area Land Use Engineer
JefferyB.Kessler@VDOT.Virginia.gov
(434) 856-8293

Dylan Bishop

From: Eick, Thomas <tom.eick@vdh.virginia.gov>
Sent: Monday, July 06, 2020 4:16 PM
To: Dylan Bishop
Subject: Re: July Public Hearings

Hi Dylan,

Thanks for sending those review materials. I have no comment on the tower proposal. It sounds like the Powell building in Faber has an existing private well and septic system. If BI would need a review of the septic system for building permit purposes an OSE would need to do that since this is commercial. Ditto for the Common Grounds SUP request.

The Johnston travel trailer SUP request looks like there is a designated area for a drainfield adjacent to the proposed location for the trailer. If existing well and septic are not present, the owner would need to secure a permit to construct those through the private sector, since this would not be a primary place of residence.

Lastly, the Tatarka zoning change request mentions additional parking in a large field area. The former owners of this property used this area for the location of their repair drainfield. Further research would be needed to determine what, if any, part of the field area is suitable for parking.

Tom

On Thu, Jul 2, 2020 at 10:51 AM Dylan Bishop <dbishop@nelsoncounty.org> wrote:

No worries! I attached the pdf versions to this email just in case. Let me know you got them. Thank you! Hope you have been doing well – have a great July 4th weekend!

Dylan

Dylan Bishop

From: Dropbox <no-reply@dropbox.com>
Sent: Wednesday, July 01, 2020 12:01 PM
To: Dylan Bishop
Subject: Charles Miller commented on "Rezoning 2020-01 Tatarka.pdf"



Charles Miller added 1 new comment on [Rezoning 2020-01 Tatarka.pdf](#)



Charles Miller July 1

Building Inspections has no comments on the rezoning approval

Dylan Bishop

From: Kimberly Mayo <kmayo18@ymail.com>
Sent: Wednesday, July 15, 2020 11:41 AM
To: Emily Hjulstrom; Dylan Bishop
Subject: Rezoning #2020-01-R1 toA1 -7:30pm

I am emailing you for my father, Coy W Anderson, who owns the property next door. Please make sure the septic system will accommodate this venture, as we have had numerous issues with this before. It was previously approved only for a bedroom residence and the other building for an office.

Thank you in advance for letting us know all Health department issues been investigated/approved.

Sincerely,

Kim Anderson Mayo

Nelson County Planning Commission

To: Planning Commission

From: Dylan M. Bishop, Director of Planning & Zoning *DMB*

Date: July 22, 2020

Re: SUP #2020-01 – Extended Stay Campground – Alex Johnston – Tye River Road

BACKGROUND: This is a request for a special use permit to allow extended stay camping for a single travel trailer on property zoned A-1 Agricultural.

Public Hearings Scheduled: P/C – July 22, 2020; Board – August 11, 2020 (tentative)

Location / Election District: Tye River Road / South District

Tax Map Number(s) / Total acreage: 91-A-4D / 10 acre parcel

Applicant Contact Information: Alex Johnston, 214 Ridgelawn Place, Lynchburg, VA 24503, 407-414-0648

Comments: This is a vacant property zoned A-1 Agricultural. The applicant is requesting to permanently place a single travel trailer on the property for the purpose of renting it out to transient lodgers for up to 6 months at a time.

DISCUSSION:

Land Use / Floodplain: This area is agricultural and residential in nature. There are no 100-year flood plains on the property.

Access and Traffic: The property is accessed by a private entrance from Tye River Road, and is adequate to support the proposed use. Should the applicant wish to expand in the future, the entrance would require modification and relocation to satisfy a VDOT commercial entrance. The applicant has indicated that they plan to have only one travel trailer.

Utilities: The property will be served by private water and septic systems. The owner will need to secure construction permits through the private sector, since this is not a primary place of residence.

Conditions: The Planning Commission may recommend, and the Board of Supervisors may impose, reasonable conditions upon the approval of the special use permit. Staff recommends the condition of limiting the extended stay campground to one site.

Comprehensive Plan: This property is in an area designated as Rural and Farming on the current Future Land Use Plan.

RECOMMENDATION: The approval of special use permits should be based on the following factors:

1. The use shall not tend to change the character and established pattern of development of the area or community in which it proposed to locate.
2. The use shall be in harmony with the uses permitted by right in the zoning district and shall not affect adversely the use of neighboring property.
3. The proposed use shall be adequately served by essential public or private water and sewer facilities.
4. The proposed use shall not result in the destruction, loss or damage or any feature determined to be of significant ecological, scenic or historical importance

Should Planning Commission recommend approval of this request staff recommends the following condition:

1. Extended stay campground is limited to one site as indicated on the site plan.

Attachments:
Application
Site Plan
Comments



PERMIT APPLICATION:

Nelson County Department of Planning & Zoning

TO THE ZONING ADMINISTRATOR: special use permit # 2020-01
application type. application number

1. The undersigned hereby petitions the Planning Commission and/or Board of Supervisors for approval of the following (check appropriate box):

- | | |
|---|---|
| <input type="checkbox"/> Rezoning from _____ to _____ | <input type="checkbox"/> Conditional Rezoning from _____ to _____ |
| <input type="checkbox"/> Subdivision – Preliminary | <input type="checkbox"/> Site Plan – Preliminary (optional) |
| <input type="checkbox"/> Subdivision – Final | <input type="checkbox"/> Site Plan – Final |
| <input type="checkbox"/> Major Site Plan | <input checked="" type="checkbox"/> Special Use Permit |
| <input checked="" type="checkbox"/> Minor Site Plan | <input type="checkbox"/> Other: _____ |

- Pursuant to Article 4 Section 1-10A of the Nelson County Zoning Ordinance.
 Pursuant to Section _____ Subsection _____ of the Nelson County Subdivision Ordinance.

Reason(s) for request: SUP
Rezoning to allow for a travel trailer to be rented on the
property. (for extended stays up to 180 days) DMB 4/30/20

(Please use reverse or attach additional sheet if more space is needed.)

2. Applicant(s) and Property Owner(s):
(Please provide names of applicants and property owners and indicate applicable title; if applicant is not the property owner, please show relationship, i.e. lessee, contract purchaser, etc.)

Applicant Property Owner Name: Alex Johnston
Mailing Address: 24 Bridgeland Place Lynchburg, VA 24503
Telephone # 407-414-0648 E-mail Address: helloalexjohnston@gmail.com
Relationship (if applicable): _____

Applicant Property Owner Name: _____
Mailing Address: _____
Telephone # _____ E-mail Address: _____
Relationship (if applicable): _____

(Please attach additional sheet if more space is needed for applicant(s) / property owner(s) info.)

3. Location and Characteristics of Subject Property:

a. Address of property (specific location, route numbers, street names, voting district, etc.):

Tye River Road, directly across from 440 4365 Tye River Rd.

b. Official tax map number: 91 A 4D

c. Acreage of property: 10 ACRES

d. Present use: Agricultural

e. Present zoning classification: A-1

f. Zoning classification of surrounding properties: A-1

4. Names of Adjacent Property Owners: Billy/Linda Newman, William/Judy Tucker
Rosenell Fields, Jay/Donna Hogston, Brittany Franklin, Daniel Scott

5. Affidavit: The undersigned applicant(s) and/or property owner(s) certifies that this application and the foregoing answers, statements, and other information herewith submitted are, in all respects, true and correct to the best of their knowledge and belief. Also, the applicant(s) and/or property owner(s) gives permission for members of the Planning Commission, Board of Supervisors, and County Staff to visit and view the subject property.

Signature: [Signature] Printed Name: Alex Johnston
Signature: [Signature] Printed Name: Jacob Johnston

(Please attach additional sheet if more space is needed for applicant(s) / property owner(s) signatures.)

6. Additional Information: (Please attach separate sheet for additional details, explanations, etc.)

7. Please note: In the event of cancellation or postponement at your request after the initial newspaper advertisement for this application, an additional fee will apply for re-advertisement (determined by the actual cost of the ad). This fee will not apply in cases of Planning Commission or Board of Supervisors deferment.

..... TO BE COMPLETED BY PLANNING & ZONING STAFF

- o Completed application and fee (\$ 200) received on 6/23/2020
- o Hearing Notice published on _____
- o Planning Commission action: Date of Meeting / Hearing: _____
Recommendation: _____
- o Board of Supervisors action: Date of Hearing: _____ Date of Decision: _____
- Action: _____

Minor Site Plan Checklist
 Tax Map 91 A 4D
 Owner: Alex Johnston

	Item	Notes
A	Vicinity Map	Attached
B	Boundary Lines	Attached
C	General Layout Design	Attached
D	Building setback lines	No permanent structure will be placed on the property
E	Zoning of subject property and adjacent property	Agricultural District A-1
F	Amount of land to be disturbed	None
G	Tax map and parcel number	91 A 4D
H	Floodplains	None
I	Wetlands, Streams, Rivers	Back of the property abuts Taylors Creek
J	Existing Structures and Roads	A dirt road is roughed into the property
K	Existing and proposed topography	No proposal topographical changes to the property. Contour lines can be seen on the plat.
L	Location of all existing and proposed utilities and easements, including the width of the easements.	Attached
M	A legend that shows: ownership, north arrow, graphic scale, area in acres	Attached
N	Signature panel	
O	Any other information	



657



Tye River Rd

4823-4171 Tye River Road

657

Taylors Creek

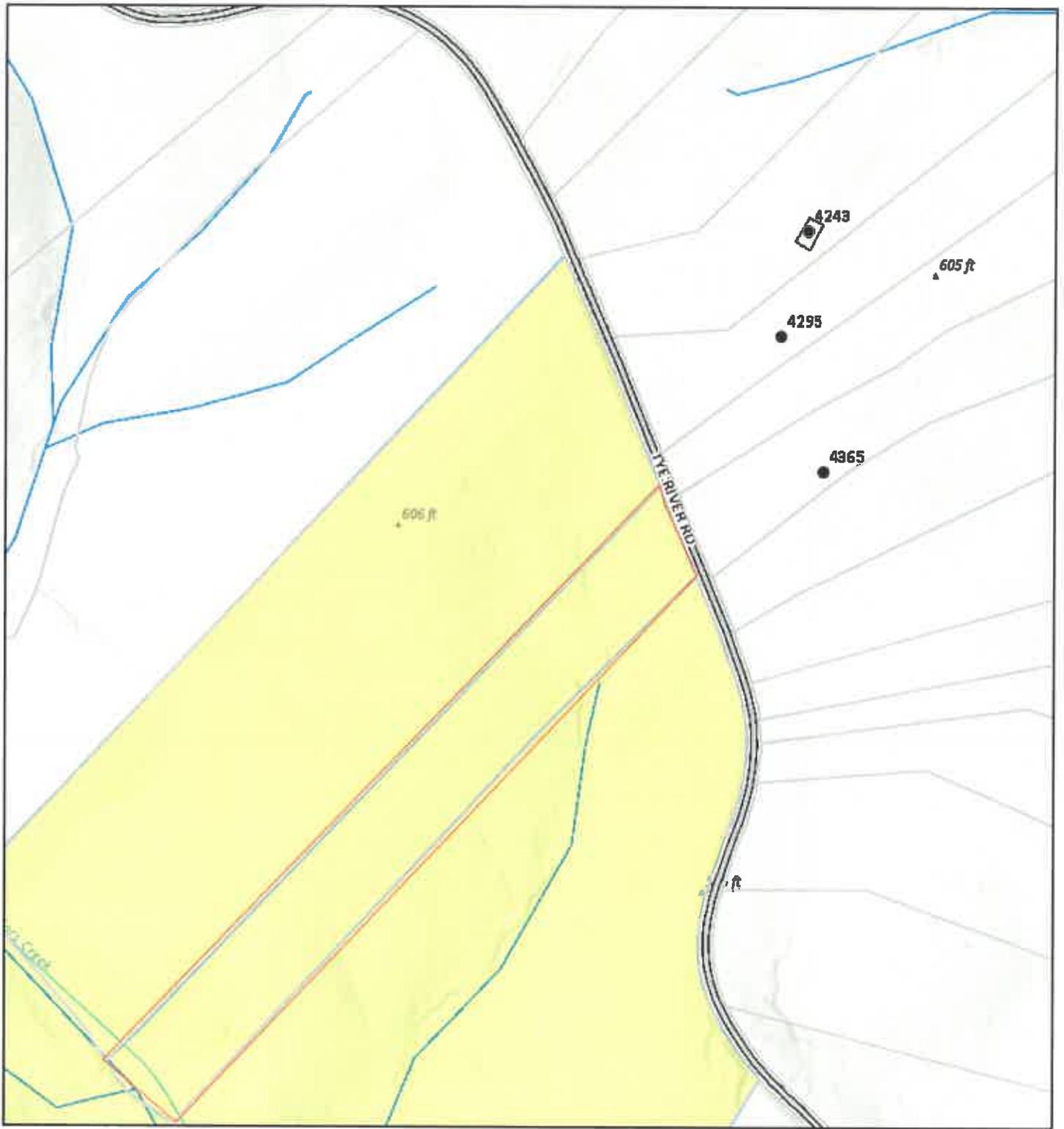
Grandma's Hill Rd

Tye River Rd

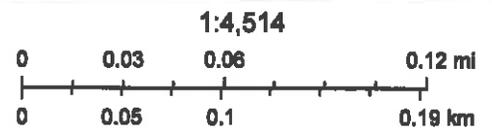
657

Buffalo River

658



May 15, 2020

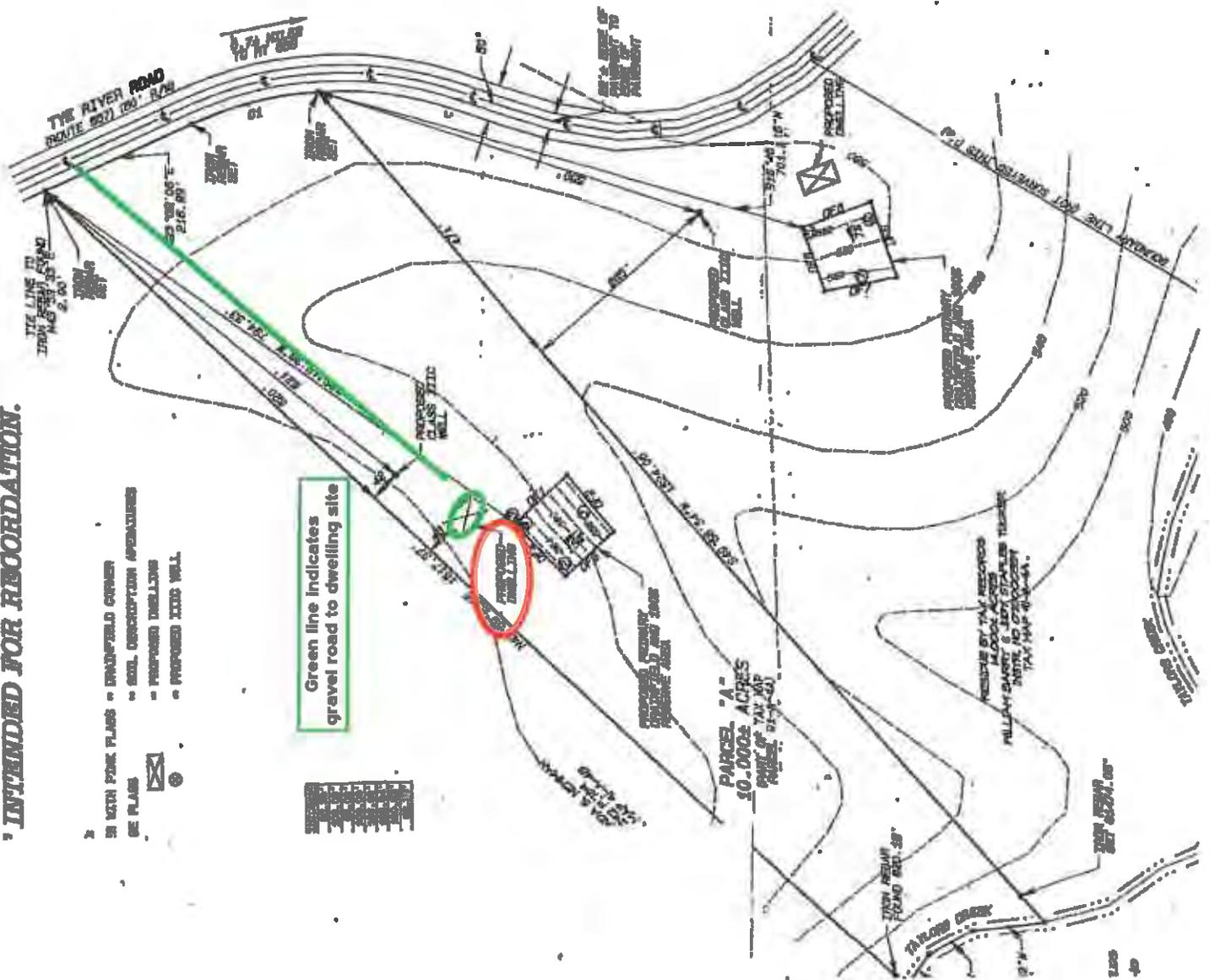


Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community. Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

**RAINFIELD LOCATION MAP
INTENDED FOR RECORDED.**

- 24 INCH PINK PLANS = DRAINFIELD CORNER
- 24 INCH PINK PLANS = SOIL CORRECTION OPERATIONS
- 24 INCH PINK PLANS = PROPOSED DRAINAGE
- 24 INCH PINK PLANS = PROPOSED IRIG WELLS

Green line indicates gravel road to dwelling site



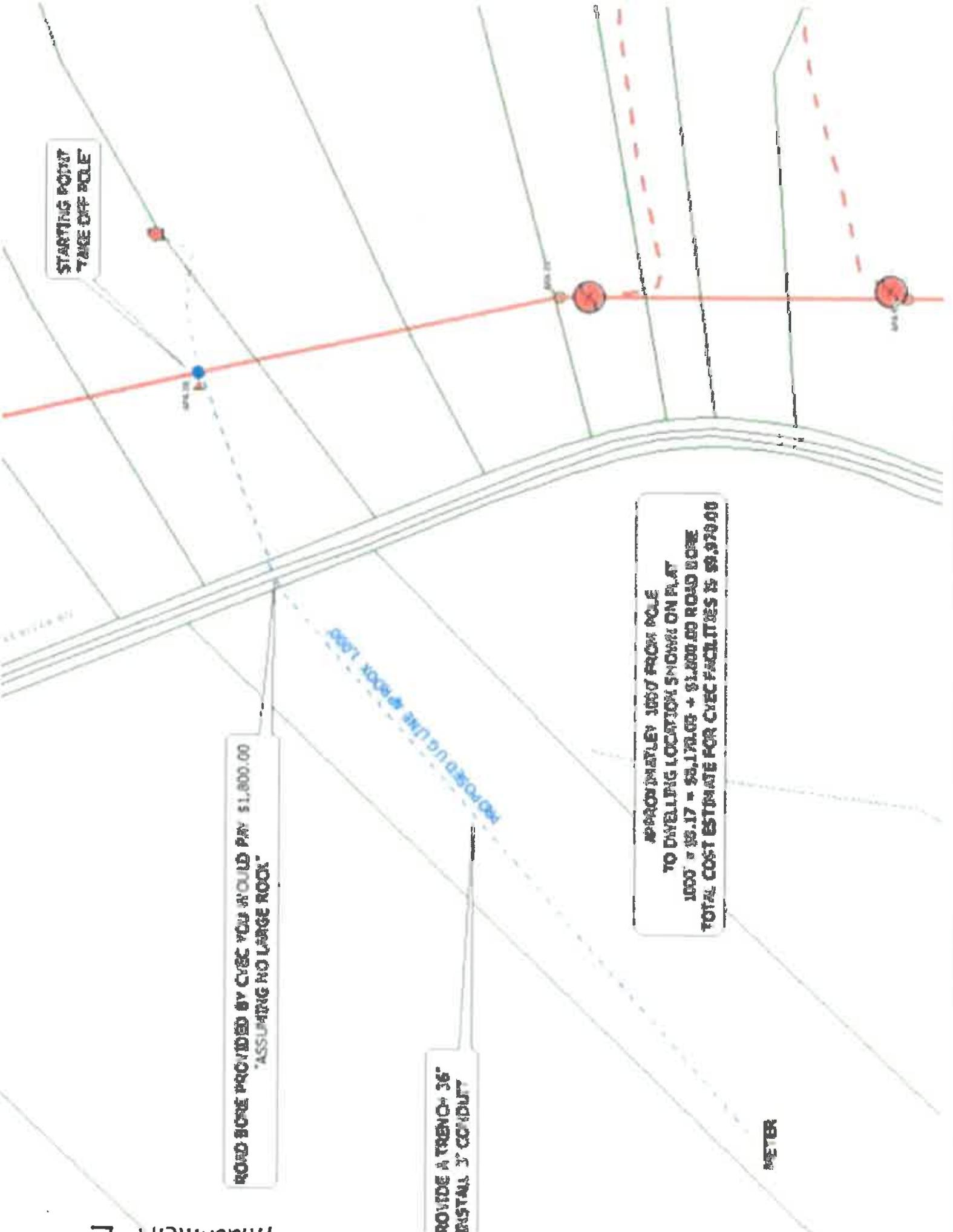
STARTING POINT
TAKE OFF POLE

ROAD BORE PROVIDED BY CYEC YOU SHOULD PAY \$1,800.00
"ASSUMING NO LARGE ROCK"

PROVIDE A TRENCH 36"
INSTALL 3" CONDUIT

APPROXIMATELY 1000' FROM POLE
TO DWELLING LOCATION SHOWN ON PLAN
 $1000' \times \$5.17 = \$5,170.00 + \$1,800.00 \text{ ROAD BORE}$
TOTAL COST ESTIMATE FOR CYEC FACILITIES IS \$9,970.00

METER

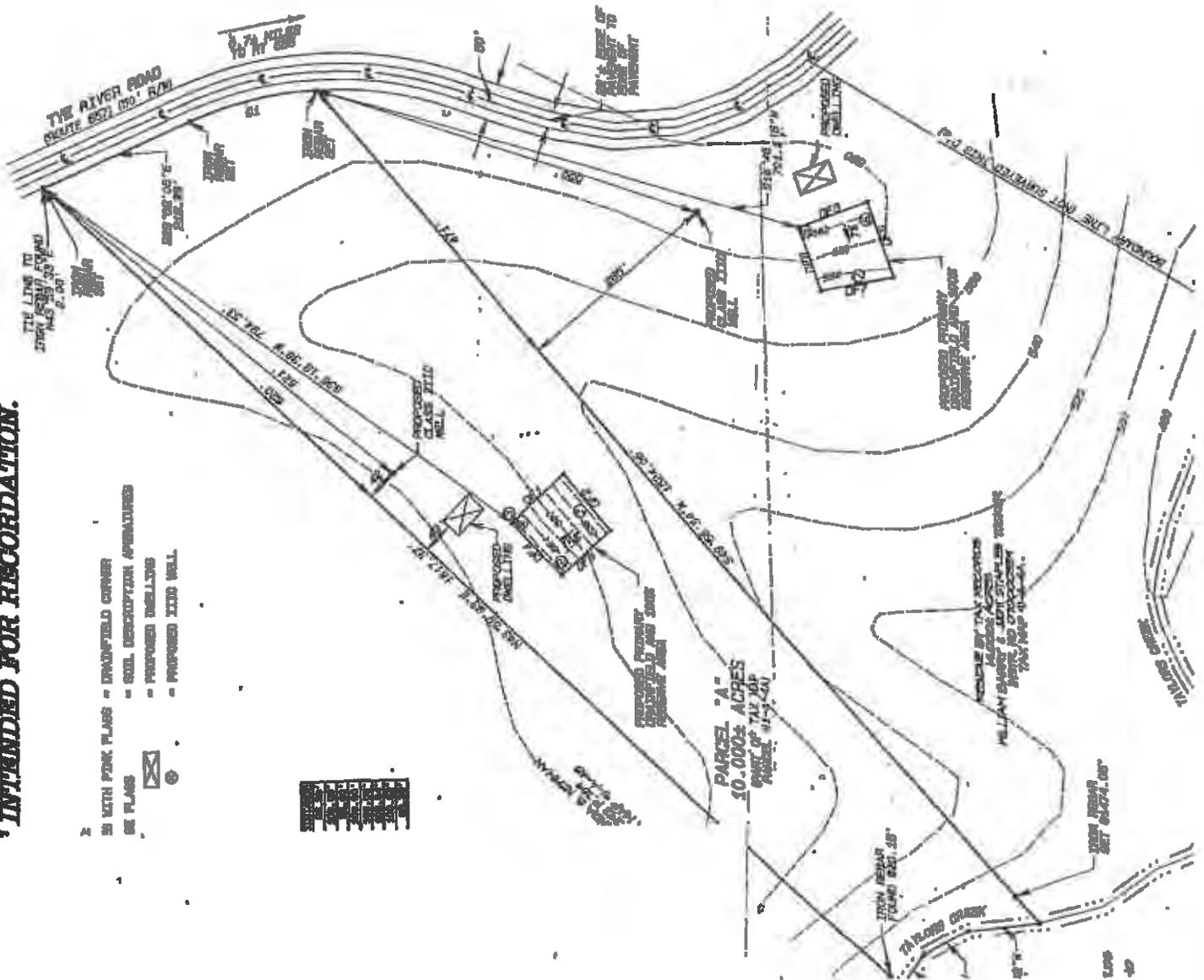


Ownership:
 Jacob and Alex Johnston
 214 Ridgelaun Place,
 Lynchburg VA 24503

Tax Map 91 A 4D
 10 acres

**RAINFIELD LOCATION MAP
 INTENDED FOR RECORDATION.**

- WITH PINK PLANS = DRAINFIELD OWNER
- WITH BLUE PLANS = SOIL DESCRIPTION OPERATORS
- WITH RED PLANS = PROPOSED WELLING
- WITH GREEN PLANS = PROPOSED TIED WELL



Alex Johnston
Application for Special Use Permit
Signature Panel

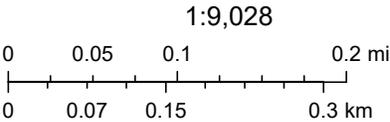
Planning & Zoning Director:

Virginia Department of Health:

VDOT:



July 16, 2020



Dylan Bishop

From: Kessler, Jeffery <jefferyb.kessler@vdot.virginia.gov>
Sent: Tuesday, July 07, 2020 2:55 PM
To: Dylan Bishop
Cc: Emily Hjulstrom; helloalexjohnston@gmail.com
Subject: Nelson Co. Special Use Permit Request #2020-01 Johnston - TM#91-A-4D Route 657

Dear Dylan;

I am writing with regard to Alex Johnston's request for the allowance of a single travel trailer to be rented for extended stays up to 180 days on TM# 91-A-4D located on Tye River Road (Route 657).

This land parcel is currently accessed from Tye River Road by a private entrance which is suitable for the proposed use of a single trailer. However, if additional rental trailers, residential homes or other uses are planned, then the entrance will require modification and relocation under a new VDOT Land Use Permit and satisfy the minimum requirements for a commercial entrance.

Please notify me if you have any questions.

Sincerely,

Jeff

Jeffery B. Kessler, P.E.

Area Land Use Engineer

JefferyB.Kessler@VDOT.Virginia.gov

(434) 856-8293

Dylan Bishop

From: Eick, Thomas <tom.eick@vdh.virginia.gov>
Sent: Monday, July 06, 2020 4:16 PM
To: Dylan Bishop
Subject: Re: July Public Hearings

Hi Dylan,

Thanks for sending those review materials. I have no comment on the tower proposal. It sounds like the Powell building in Faber has an existing private well and septic system. If BI would need a review of the septic system for building permit purposes an OSE would need to do that since this is commercial. Ditto for the Common Grounds SUP request.

The Johnston travel trailer SUP request looks like there is a designated area for a drainfield adjacent to the proposed location for the trailer. If existing well and septic are not present, the owner would need to secure a permit to construct those through the private sector, since this would not be a primary place of residence.

Lastly, the Tatarka zoning change request mentions additional parking in a large field area. The former owners of this property used this area for the location of their repair drainfield. Further research would be needed to determine what, if any, part of the field area is suitable for parking.

Tom

On Thu, Jul 2, 2020 at 10:51 AM Dylan Bishop <dbishop@nelsoncounty.org> wrote:

No worries! I attached the pdf versions to this email just in case. Let me know you got them. Thank you! Hope you have been doing well – have a great July 4th weekend!

Dylan

Dylan Bishop

From: Dropbox <no-reply@dropbox.com>
Sent: Wednesday, July 01, 2020 12:13 PM
To: Dylan Bishop
Subject: Charles Miller commented on "SUP 2020-01 Johnston.pdf"



Charles Miller added 1 new comment on [SUP 2020-01 Johnston.pdf](#)



Charles Miller July 1

Building Inspections - A travel trailer is classified as a RV according to DHCD. Since it is a RV it will never be issued a Certificate of Occupancy (CO). Whether it has a foundation under it that is permitted and inspected with a final inspection does not change the fact that it is a RV. There is not a dwelling on this property currently.

Nelson County Planning Commission

To: Planning Commission

From: Dylan M. Bishop, Director of Planning & Zoning *DMB*

Date: July 22, 2020

Re: SUP #2020-02 – Artist Community – Kassam-Adams – Laurel Lane/Meadow Drive

BACKGROUND: This is a request for a special use permit to allow an artist community on property zoned A-1 Agricultural.

Public Hearings Scheduled: P/C – July 22, 2020; Board – August 11, 2020 (tentative)

Location / Election District: 360 Laurel Road (Woods Mill area) / Central District

Tax Map Number(s) / Total acreage: 46-3-12, 46-3-2A, 46-3-1, 46-3-11A, 46-3-14 / 167.73 +/- total acreage of parcels

Applicant Contact Information: Shahir & Nancy Kassam-Adams, 360 Laurel Lane, Lovingston, VA 22949, 215-300-1569

Comments: These properties are heavily wooded and contain multiple existing structures and features including a residence, several other buildings, trails, streams, and river frontage. No new structures are proposed with this request; only existing structures are proposed to be rehabilitated and repurposed. The proposed retreat program would serve 1-4 resident artists at a time for 1-6 week residencies.

An artist community is defined as “a facility that provides resident artists with artist community residencies in a rural setting. An artist community includes art studio(s), exhibition and presentation space(s), and temporary lodging accommodations for resident artists; and includes the accompanying office(s), kitchen and food service(s), communal space(s), and maintenance area(s) to service the resident artists and staff.”

Resident artists are “professionals who create new work in literary, visual, musical, theatrical, dance, and other forms, as evidenced by their education in said fields, training, and expenditure of time in their studio endeavor, regardless of whether they make their living by it.”

DISCUSSION:

Land Use / Floodplain: This area is agricultural and residential in nature. There is flood plain present on the east side of the property where the river is located, however all existing structures and proposed improvements shall take place outside of this area.

Access and Traffic: The property is ultimately accessed from Laurel Lane, which is not a state-maintained roadway. Although no improvements are required by VDOT, the agency has indicated that the proposed use will increase traffic volume along both Woods Mill Lane and Old Ridge Road. Currently Woods Mill Lane is substandard to today's requirements.

Utilities: The property is served by existing private water and septic systems. Should Building Inspections require a review of the septic system for building permit purposes, an Onsite Soil Evaluator (OSE) would need to perform the review.

Conditions: The Planning Commission may recommend, and the Board of Supervisors may impose, reasonable conditions upon the approval of the special use permit. Section 4-1-46a outlines the following limiting factors for an artist community:

- Minimum property size of twenty (20) acres;
- Maximum floor area of forty thousand (40,000) square feet (cumulative/all facilities);
- Maximum of twenty-five (25) resident artists at any time with each resident artist being limited to a maximum duration of ninety-five (95) consecutive days;
- Maximum of fifteen (15) public events per year (monthly open houses/open studios and infrequent fundraising events);
- Existing structures are adaptively reused (as applicable) and new structures are designed to be compatible with rural character of surrounding area;
- Restrictions on future division of the property.

Section 4-1-46a Conditions	Applicant Response	Staff Recommended Conditions	Comments
Minimum property size of 20 acres	Property is +/- 167 acres		
Maximum floor area of 40,000 square feet (cumulative / all facilities)	Floor area will be well under this limit	Maximum floor area of 10,000 square feet (cumulative / all facilities)	Reducing the maximum amount of floor area gives the applicant some room to expand without drastically expanding the use or increasing traffic
Maximum of 25 resident artists being limited to a maximum duration of ninety-five (95) consecutive days	- Retreat program: 1 to 4 artists / writers / scholars / activists in residence (1- to 6-week residencies) - Small group programs for 1 day to 1 week, encompassing day programs & limited overnight stays	Maximum of 12 resident artists being limited to a maximum duration of 95 days	By limiting the number of resident artists permitted at a time, the potential traffic impact could be reduced
Maximum of 15 public events per year (monthly Open Houses/Open Studios and infrequent fundraising events)	Anticipate few public events – certainly fewer than 15 per year	Maximum of 12 public events per year	Reducing the number of public events from 15 to 12 is consistent with by-right social temporary events in the A-1 District, and reduces traffic impact.
Existing structures are adaptively reused (as applicable) and new structures are designed to be compatible with rural character of surrounding area	Rehabbing and repurposing existing structures and footprints with minor additional site amenities. All structures will be compatible with the rural character of the surrounding areas.		
Restrictions on future division of the property		No future divisions.	There are currently 5 separate parcels

Comprehensive Plan: This property is in an area designated as Rural and Farming on the current Future Land Use Plan.

RECOMMENDATION: The approval of special use permits should be based on the following factors:

1. The use shall not tend to change the character and established pattern of development of the area or community in which it proposed to locate.
2. The use shall be in harmony with the uses permitted by right in the zoning district and shall not affect adversely the use of neighboring property.
3. The proposed use shall be adequately served by essential public or private water and sewer facilities.
4. The proposed use shall not result in the destruction, loss or damage or any feature determined to be of significant ecological, scenic or historical importance

Should Planning Commission recommend approval of this request staff recommends the following revised conditions:

1. Maximum floor area of 10,000 square feet (cumulative / all facilities), excluding the existing dwelling, pool house, and building located on parcel #46-3-12, which shall be for private use by the owners.
2. Maximum of 12 resident artists being limited to a maximum duration of 95 days
3. Maximum of 12 public events per year.
4. No future divisions on the subject properties.

Attachments:

Application
Narrative
Site Plan
Floor Area Chart
Comments



PERMIT APPLICATION: Nelson County Department of Planning & Zoning

TO THE ZONING ADMINISTRATOR: SUP with a Minor Site Plan Amendment # 2020-02
application type *application number*

1. The undersigned hereby petitions the Planning Commission and/or Board of Supervisors for approval of the following (check appropriate box):

- Special Use Permit
- Subdivision
- ~~Re-zoning from A-1 to SUP~~
- Site Plan – Minor
- Conditional Rezoning from _____ to _____
- Site Plan – Major
- Other: _____

Reason(s) for request:

Thank you for considering our proposal for a Special Use Permit (SUP) on our property (made up of Parcels 46-3-12, 46-3-2A, 46-3-1, 46-3-11A, and 46-3-14) in the Woods Mill area north of Lovingston, Virginia. We are requesting a Special Use Permit for use as an Artist Community under Section 4-1-46a. See supporting documents.

(Please use reverse or attach additional sheet if more space is needed.)

2. Applicant(s) and Property Owner(s):

(Please provide names of applicants and property owners and indicate applicable title; if applicant is not the property owner, please show relationship, i.e. lessee, contract purchaser, etc.)

Applicant Property Owner Name: Shahir Kassam-Adams

Mailing Address: 360 Laurel Lane, Lovingston, VA 22949

Telephone #: 215 300 1569 Email Address: skassamadams@gmail.com

Relationship (if applicable):

Applicant Property Owner Name: Nancy Kassam-Adams

Mailing Address: 360 Laurel Lane, Lovingston, VA 22949

Telephone #: 215 850 7686 Email Address: nkassamadams@gmail.com

Relationship (if applicable):

(Please attach additional sheet if more space is needed for applicant(s) / property owner(s) info.)

3. Location and Characteristics of Subject Property:

a. Address of Property (specific location, route numbers, street names, voting district, etc.):

360 Laurel Lane, Lovingsston, VA 22946

b. Official tax map number: Parcels 46-3-12, 46-3-2A, 46-3-1, 46-3-11A, and 46-3-14

c. Acreage of property: 167.43

d. Present use: Residential

e. Present zoning classification: A-1

f. Zoning classification of surrounding properties: A-1

4. Affidavit: The undersigned applicant(s) and/or property owner(s) certifies that this application and the foregoing answers, statements, and other information herewith submitted are, in all respects, true and correct to the best of their knowledge and belief. Also, the applicant(s) and/or property owner(s) gives permission for members of the Planning Commission, Board of Supervisors, and County Staff to visit and view the subject property.

Signature: Shahir Kassam-Adams Printed Name: Shahir Kassam-Adams

Signature: Nancy Kassam-Adams Printed Name: Nancy Kassam-Adams

(Please attach additional sheet if more space is needed for applicant(s) / property owner(s) signatures.)

5. Additional information: Minor Site Plan Sheets (2); Project Narrative and Common Ground Collaborative Vision, Purpose & Program

6. Please note: In the event of cancellation or postponement at your request after the initial newspaper advertisement for this application, an additional fee will apply for re-advertisement (determined by the actual cost of the ad). This fee will not apply in cases of Planning Commission or Board of Supervisors deferment.

-----TO BE COMPLETED BY PLANNING & ZONING STAFF-----

Pursuant to Article 4, Section 1-46a of the Nelson County Zoning Ordinance.
Pursuant to Section _____, Subsection _____ of the Nelson County Subdivision Ordinance.

- Completed application and fee (\$ 200) received on 5/27/2020
- Hearing Notice published on _____
- Planning Commission action: Date of Meeting / Hearing: _____
Recommendation: _____
- Board of Supervisors action: Date of Hearing: _____ Date of Decision: _____
Action: _____

Nelson County Planning & Zoning Department

(Mailing Address) P.O. Box 558, Lovingsston, Virginia 22949 | (Physical Address) 80 Front Street, Lovingsston, Virginia 22949
(Telephone Number) 434 263-7090 or Toll Free 888 662-9400, selections 4 & 1 | (Fax Number) 434 263-7086
<http://www.nelsoncounty-va.gov/departments/planning-zoning/>



SPECIAL USE PERMIT: REQUIREMENTS & PROCEDURES

80 Front Street – PO Box 558 - Lovingson, VA
22949 (434) 263-7090 [Phone] • (434) 263-7086 [Fax]

*Applications may be submitted by email, fax, in-person, or postal mail.
Processing cannot begin until the application fee and all
requirements (listed below) have been received.*

REQUIREMENTS	
<p><i>Uses which are not otherwise a permissible use may be allowed through the approval of a special use permit, pursuant to §12-3-4.</i></p> <p><i>“General Provisions, Special Use Permits, Application Requirements for Special Use Permits.”</i></p>	
<p>Application Fee</p> <p style="text-align: right;">✓</p>	<ul style="list-style-type: none"> ▪ Application Fees are collected at the time of application submission. ▪ Applications must be submitted by the third Friday of the month to be able to go to the Planning Commission on the fourth Wednesday of the following month. <p style="text-align: center;">Special Use Permit = \$200</p>
<p>Authorization Notice(s)</p> <p style="text-align: right;">✓</p>	<ul style="list-style-type: none"> ▪ If the permit is applied for, or on behalf of, any person other than the listed Applicant, a signed written notice from the Applicant authorizing the person(s) applying for the permit to do so shall be included with the application. ▪ If any portion of the use to be permitted is to be held on private property not owned by the listed Applicant, the Applicant must provide a signed written or typed authorization from each applicable property owner(s) which demonstrates their authorization for the use to be permitted to take place on the property(s).
<p>Site Plan</p> <p style="text-align: right;">✓</p>	<ul style="list-style-type: none"> ▪ A Site Plan will be required with the project. <i>Please see the Minor or Major (as applicable) Site Plan Checklist.</i> ▪ Please provide two full size sets of large printed copies, 8 copies of 11x17 site plans, and a digital copy of your site plan. <i>(Please note that if you email a large file our server may block it. It is advisable to use a program like Dropbox for larger files.)</i> ▪ Site Plans will still need to be approved after a final determination is made by the board on the Special Use Permit.
<p>Project Narrative</p> <p>(See attached document)</p> <p style="text-align: right;">✓</p>	<ul style="list-style-type: none"> ▪ Please provide a brief written description of the project. Including a written statement of proposed project compatibility with the following: <ul style="list-style-type: none"> ✓ - The Comprehensive Plan ✓ - The applicable zoning district ✓ - The surrounding properties ✓ - Current and future neighborhood conditions ✓ - Traffic patterns, on-site and off-site
<p>Other Departments</p>	<ul style="list-style-type: none"> ▪ It is advised that you have early discussions about your project with other agencies involved in the review and approval of your project. Potentially including: VDOT, VDH, the Thomas Jefferson Soil and Water Conservation District, DEQ, and the Nelson County Service Authority.



MINOR SITE PLAN CHECKLIST

Nelson County Dept. of Planning & Zoning

A	<input checked="" type="checkbox"/>	A vicinity map showing the location of the subject property.
B	<input checked="" type="checkbox"/>	Boundary lines of the subject property.
C	<input checked="" type="checkbox"/>	General layout design of what is proposed on a scale not smaller than one (1) inch equals (20) feet, including the location of all proposed streets, pathways, easements, and all proposed uses of the land. A different scale may be used provided it is approved by the Planning and Zoning Director.
D	NA	Building setback lines.
E	<input checked="" type="checkbox"/>	Zoning of subject property and adjacent property.
F	<input checked="" type="checkbox"/>	Amount of land to be disturbed, including drain fields.
G	<input checked="" type="checkbox"/>	Tax map and parcel number.
H	NA	Floodplains.
I	NA	Wetlands, streams, rivers, etc.
J	<input checked="" type="checkbox"/>	Existing structures and roads.
K	<input checked="" type="checkbox"/>	Existing and proposed topography and contour lines of the development site with a contour interval of twenty (20) feet or less for minor site plans, supplemented where necessary by spot elevation.
L	<input checked="" type="checkbox"/>	The location of all existing and proposed utilities and easements including the width of the easement.
M		A legend that shows:
	<input checked="" type="checkbox"/>	<input type="radio"/> Ownership (Name and Address)
	<input checked="" type="checkbox"/>	<input type="radio"/> North arrow
	<input checked="" type="checkbox"/>	<input type="radio"/> Graphic scale
	<input checked="" type="checkbox"/>	<input type="radio"/> Area in acres
N	<input checked="" type="checkbox"/>	A signature panel to indicate approvals from the following:
		<input type="radio"/> Planning and Zoning Director
		<input type="radio"/> Virginia Department of Transportation
		<input type="radio"/> Virginia Department of Health
		<input type="radio"/> Nelson County Service Authority
O	<input checked="" type="checkbox"/>	Any other information which the Planning and Zoning Director deems necessary for the proper consideration of the application.

PROJECT NARRATIVE TO SUPPORT SUP

Date: May 25, 2020

To: Dylan Bishop, Director (434-263-7091; dbishop@nelsoncounty.org)
Nelson County Planning & Zoning
80 Front Street, Lovingson, VA, 22949

Project: Kassam-Adams Properties
360 Laurel Lane, Lovingson, VA 22949

Re: Project Narrative, Special Use Permit Application Documentation

Ms. Bishop,

Thank you for considering our proposal for a Special Use Permit (SUP) on our property (made up of Parcels 46-3-12, 46-3-2A, 46-3-1, 46-3-11A, and 46-3-14) in the Woods Mill area north of Lovingson, Virginia. We are requesting a Special Use Permit for use as an Artist Community.

Below you will find our Project Narrative as part of the SUP requirements. We are also including a supplemental document ("Common Ground Vision, Purpose, & Program") that provides additional background and context for this project.

Brief written description of the project, including proposed project compatibility with the following:

- **Compatibility with the Comprehensive Plan:**

The property near Woods Mill is in a primarily agricultural and limited residential area. Consistent with the Comprehensive Plan, the proposed use maintains the rural nature of the property, and helps to preserve the heritage and unique character of Nelson County. This heritage is an essential part of the appeal of this site for an artist community - preserving this is the highest priority.

In keeping with the principles described in the Comprehensive Plan, we will preserve the property's rural character by incorporating current structures into development and protecting (and enjoying!) scenic vistas.

- **Compatibility with the applicable zoning district:**

The area is zoned Agricultural A-1. The proposed use as an Artist Community will maintain the property's rural character. The property includes woods, fields, streams and river frontage, with several existing structures. The vast majority of the property will remain as is. The residential properties on parcel 46-3-12 will remain in residential use. Several other existing structures across parcels 46-3-12 and 46-3-14 will be rehabilitated and repurposed.

We will use existing structures and footprints with minor additional site amenities. All structures will be compatible with the agricultural and rural nature of the area.

The anticipated use of this property is consistent with the Special Use Permit definition of Artist Community, within this zoning district:

Minimum property size of 20 acres	Property is +/- 167 acres.
Maximum floor area of 40,000 square feet (cumulative / all facilities)	Floor area will be well under this limit
Maximum of 25 resident artists at any time with each resident artist being limited to a maximum duration of ninety-five (95) consecutive days	- Retreat program: 1 to 4 artists / writers / scholars / activists in residence (1- to 6-week residencies) - Small group programs for 1 day to 1 week, encompassing day programs & limited overnight stays
Maximum of 15 public events per year (monthly Open Houses/Open Studios and infrequent fundraising events);	Anticipate few public events – certainly fewer than 15 per year
Existing structures are adaptively reused (as applicable) and new structures are designed to be compatible with rural character of surrounding area;	Rehabbing and repurposing existing structures and footprints with minor additional site amenities. All structures will be compatible with the rural character of the surrounding area.

- **Compatibility with surrounding properties:**

Surrounding properties are in rural, residential use. With very light use by a small number of individuals at any one time, the anticipated use of this property as an Artist Community would have little impact for surrounding properties.

- **Compatibility with current and future neighborhood conditions:**

With a small number of individuals using the property at any one time, its anticipated use as an Artist Community would have little impact on neighborhood conditions. The property includes woods, fields, streams and river frontage, with several existing structures. The vast majority of the property will remain as is. The impact of the proposed use will be similar to residential use, i.e., comparable impact to a family with occasional small group social gatherings.

- **Compatibility with traffic patterns, on-site and off-sites:**

With a small number of individuals using the property at any one time, its anticipated use as Artist Community would have little impact on traffic patterns.



Shahir Kassam-Adams

5/25/2020

Date



Nancy Kassam-Adams

5/25/2020

Date



Common Ground Collaborative

Supporting a diverse, just, sustainable society

Vision

Common Ground Collaborative supports programs that help to bridge the differences between us and build a diverse, just, and sustainable society.

Purpose

As a non-profit venture, Common Ground Collaborative supports programs including a retreat for writers, artists, scholars, and activists; as well as small group programs for adults and for high-school age youth and young adults. Across all of these programs, Common Ground seeks to engage adults and youth in meaningful ways, providing space for work, play, and connection to advance shared efforts to build a diverse, just, and sustainable society.

We believe that where there are differences and profound lack of understanding, there are also meaningful opportunities to discover untapped and innovative ways of building consensus towards common goals and respect for our nation's founding value of "e pluribus unum." We aim to support adults and youth in affecting change around complex issues such as education, structural racism and inequality, climate change, criminal justice, unemployment, immigration, health care, reproductive decisions, and civil liberties. Across all of these issues, we recognize that real solutions will require a range of skills and approaches and will be realized through civic, artistic, technological, entrepreneurial, and other avenues.

Program overview

Setting and context: Common Ground's home base is a rural property of forest and fields in Nelson County Virginia. Across more than 150 acres, the grounds and facilities available to Common Ground encompass several simple yet comfortable living spaces that can accommodate 1 to 12 adults, studio / workshop space, spaces for outdoor gathering and recreation, walking paths through forest and meadows, and river access. Because of its unique setting in the foothills of the Blue Ridge mountains, programs at Common Ground can balance time for individual work or small group community activities in this peaceful rural retreat with access to nearby resources such as the University of Virginia, Appalachian Trail, Blue Ridge Parkway, George Washington National Forest, and cultural and advocacy organizations from the Charlottesville-Richmond-Lynchburg areas. Nelson County boasts natural beauty and a vibrant and connected community, and is a popular destination with its range of local craftspeople as well as wineries, breweries and cideries,

Retreat program: In a quiet hilltop retreat with views of fields and mountains, this program will enable writers, artists, scholars, and activists to have sustained time in which they can focus on projects that advance the goals of Common Ground. We envision that the living / working space would be offered for two to six week stays and may accommodate 1 to 4 individuals at a time. Common Ground *will partner with compatible organizations to vet or nominate persons who would benefit from use of the retreat space.*

Small group programs: Small group programs at Common Ground will bring together adults or youth for a day to a week, providing space and time to build skills and create sustainable communities of changemakers. Common Ground can also provide space for planning or working sessions of not-for-profit organization boards or committees, worship communities, and interfaith groups. *Small group programming may be initiated / led by Common Ground, or by external groups who share Common Ground goals and vision and apply to use the grounds and facilities for indoor and outdoor activities.*

Background Information in support of Kassam-Adams SUP Application (Date: May 25, 2020)

Youth and young adult programs: Some small group programs at Common Ground will have a particular focus on youth and young adults. In its youth programming, Common Ground aims to build connections amongst diverse groups of young people to advance mutual understanding and pluralism and pursue collaborative solutions to the divisions facing our country. We believe that youth – with their open minded and hopeful worldviews – can be the strongest bridges between diverse groups. To this end, Common Ground youth programs will bring together emerging youth leaders from red/blue, rural/urban, black/brown/white, native born/immigrant, and believer/non-believer communities. Common Ground will provide youth with meaningful experiences that develop their skills as the advocates, collaborators, and change agents that our nation so greatly needs to create a promising future for all Americans.

Launch Plan: Common Ground will roll out these programs in phases, as physical space / facilities and program plans and support develop over time.

Phase 0 (2020): Planning and Buildout

Phase I (2021): Retreat program

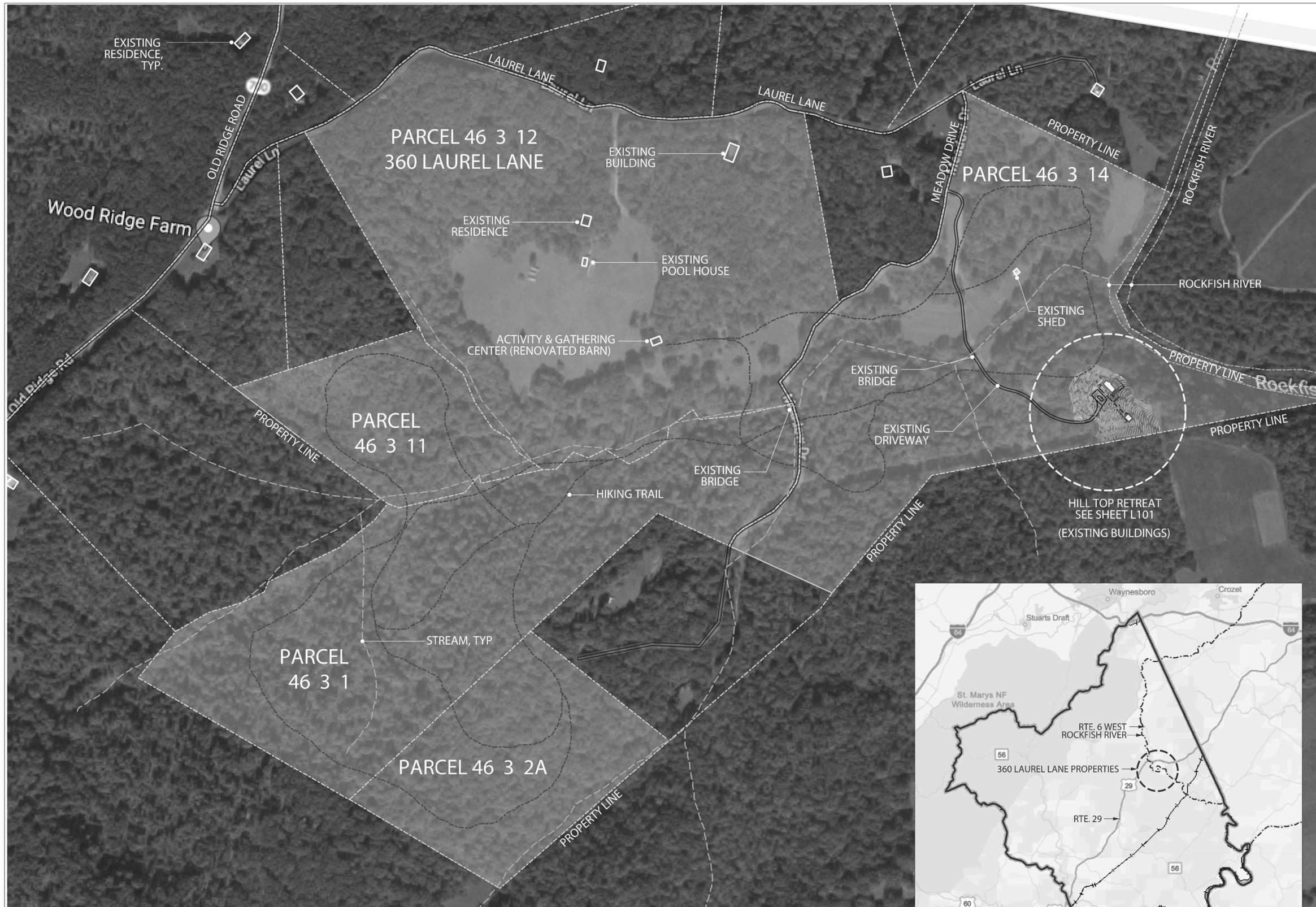
Phase II (2022): Small group programs for adults (pilot small group programs for youth).

Phase III (2023): Expand youth and young adult small group programs

Foundational Values, Skills, Attitudes, and Behaviors

In all of its programs for adults and youth, Common Ground Collaborative seeks to advance the following values, skills, attitudes, and behaviors.

Values	Skills	Attitudes & Behaviors
-Inclusion and pluralism	-Critical thinking	-Kindness
-Compassion and sharing	-Communication	-Resilience and grit
-Inquiry and intellectual pursuit	-Collaboration	-Optimism and hope
-Commitment to community	-Creativity and innovation	-Global outlook
-Integrity and honesty	-Peaceful dialogue and conflict resolution	-Humility
-Good governance and transparency	-Moral reasoning	-Fairness and equity
-Respect for democracy and the democratic process	-Responsible decision making	-Commitment to excellence and quality
	-Advocacy	-Bravery / Courage



KASSAM-ADAMS PROPERTIES

360 LAUREL LANE
 Lovington, VA 22949

PARCELS 46 3 12
 46 3 11
 46 3 1
 46 3 2A
 46 3 14

SIGNATURE PANEL FOR APPROVALS FROM THE FOLLOWING:

PLANNING & ZONING DIRECTOR

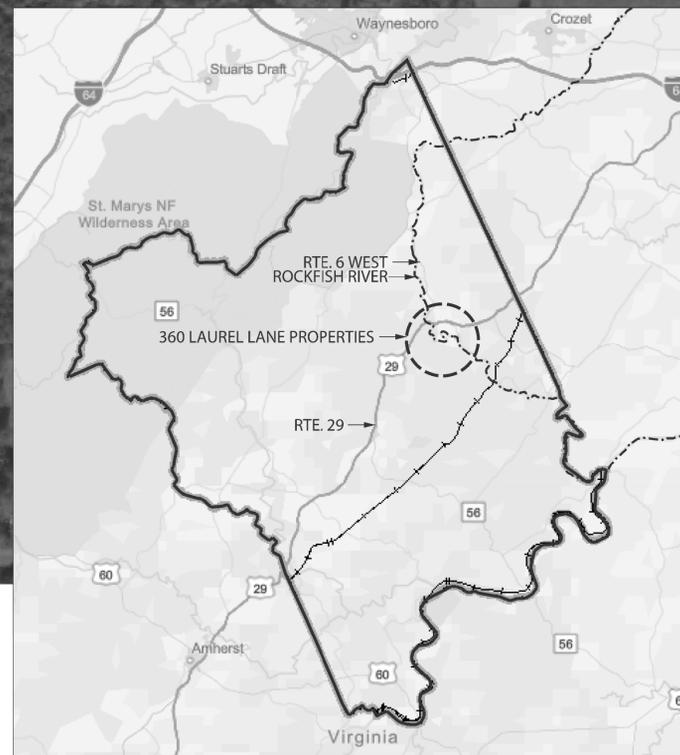
VIRGINIA DEPARTMENT OF TRANSPORTATION

VIRGINIA DEPARTMENT OF HEALTH

NELSON COUNTY SERVICE AUTHORITY

ISSUES AND REVISIONS

NO.	SUBMITTAL	DATE
1.	SITE PLAN FOR MINOR SITE PLAN AMENDMENT IN SUPPORT OF SPECIAL USE PERMIT APPLICATION	05.25.20
2.		



NELSON COUNTY LOCATION MAP: 360 LAUREL LANE (NTS)

LEGEND	
CONTRIBUTORY STREAM	---
HIKING TRAIL	- - - - -

TOTAL AREA OF PARCELS: 167.43 ACRES

NOTE: THIS IS DRAWING SHEET 1 OF 2. SEE ALSO SHEET L101



**LANDSCAPE CONTEXT PLAN
 (IN SUPPORT
 OF SUP SUBMITTAL)**

L100

LANDSCAPE KEYNOTES

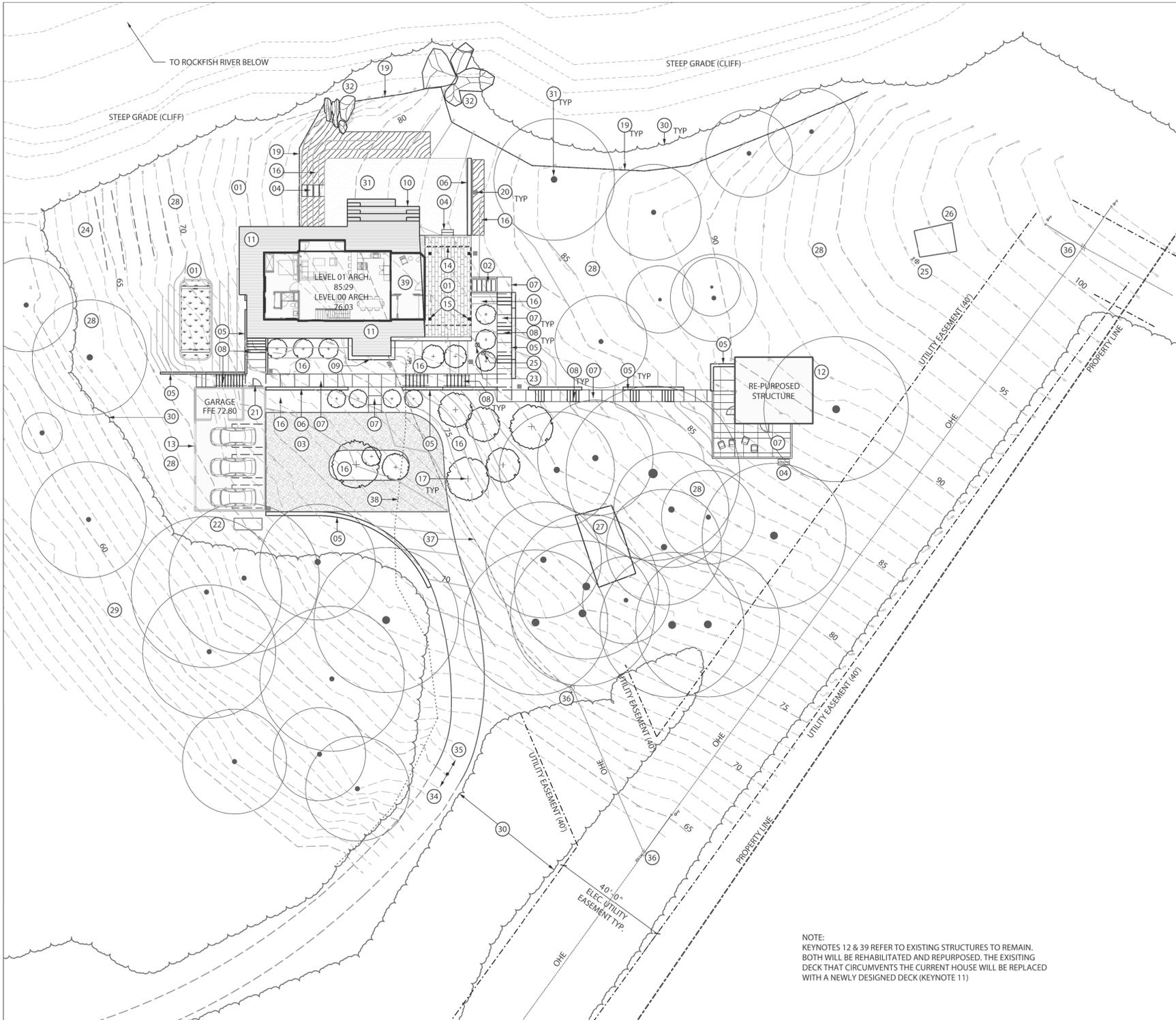
- | | | | | |
|--|---|--------------------------------------|---|--|
| 01 SITE PAVING: PERMEABLE PAVING TERRACE | 10 SITE STAIRS: WOOD WITH HANDRAILS | 19 EXISTING PERIMETER FENCE LOCATION | 28 EXISTING GROUNDPLANE: GRASS TO REMAIN | 37 EXISTING UNDERGROUND ELEC. LINE |
| 02 SITE PAVING: STEPPING STONES | 11 WOOD DECK @ HOUSE: WOOD STRUCTURAL ELEMENTS WITH WOOD GUARDRAILS | 20 AREA DRAIN | 29 EXISTING FOREST FLOOR PLANTING TO REMAIN | 38 EXISTING UNDERGROUND TELE COMM LINE. |
| 03 SITE PAVING: AGGREGATE PAVING PARKING COURT | 12 REHABILITATED & REPURPOSED BUILDING: MEETING SPACE | 21 TRENCH DRAIN | 30 EXISTING CANOPY | 39 EXISTING RESIDENCE BUILDING REHABILITATED |
| 04 SITE PAVING: SOLID STONE STEPS | 13 PROPOSED GARAGE | 22 RELOCATED PROPANE TANK | 31 EXISTING TREE TO REMAIN | |
| 05 SITE WALL: CONCRETE - RETAINING 2.5' HT. MAX. | 14 ROOF TO COVERED PORCH | 23 WELL HEAD LOCATION | 32 LAWN TERRACE | |
| 06 SITE WALL: SEAT HEIGHT - CONCRETE | 15 POST TO COVERED PORCH | 24 EXISTING SEPTIC FIELD LOCATION | 33 EXISTING ROCK OUTCROP | |
| 07 CONCRETE PAVING | 16 PLANTED AREA (NATIVE PLANTS) | 25 EXISTING FARM PUMP (ABANDONED) | 34 EXISTING ROAD | |
| 08 SITE STAIRS: CONCRETE | 17 ORNAMENTAL TREE/SHRUBS (NATIVE) | 26 EXISTING STONE WALL | 35 NEW ROAD AGGREGATE FOR EXISTING ROAD | |
| 09 STONE VENEER WALL TO SUPPORT DECK | 18 RAIN GARDEN (NATIVE PLANTS) | 27 EXISTING CONCRETE PAD TO REMAIN | 36 EXISTING UTILITY POLE | |

UTILITY LEGEND

- YARD INLET
- TRENCH DRAIN
- WELL CAP/ GARDEN WATER PUMP
- ELECTRIC POLE
- OHU OVERHEAD UTILITY LINE

SITE PLAN LEGEND

- PROPERTY LINE
- CONTROL JOINT CONCRETE PAVING
- EXPANSION JOINT CONCRETE PAVING
- SITE WALL
- PERMEABLE PAVER TERRACE
- SITE DECK @ LEVEL 01
- EXISTING SITE FENCE
- STONE STEPPERS
- LAWN PANEL
- NATIVE ORNAMENTAL PLANT BED
- NATIVE PLANTING RAIN GARDEN
- PROPERTY LINE
- NATIVE ORNAMENTAL TREES
- EXISTING TREE TO REMAIN
- EXISTING ROCK OUTCROP



NOTE:
KEYNOTES 12 & 39 REFER TO EXISTING STRUCTURES TO REMAIN. BOTH WILL BE REHABILITATED AND REPURPOSED. THE EXISTING DECK THAT CIRCUMVENTS THE CURRENT HOUSE WILL BE REPLACED WITH A NEWLY DESIGNED DECK (KEYNOTE 11)

PURPOSE: PROPOSAL FOR A SPECIAL USE PERMIT (SUP) ON THE KASSAM-ADAMS PROPERTIES MADE UP OF PARCELS 46-3-12, 46-3-2A, 46-3-1, 46-3-11A, 46-3-14

PROPERTY OWNER:	SHAHIR & NANCY KASSAM-ADAMS 360 LAUREL LANE LOVINGSTON, VA 22949
TOTAL AREA OF PROPERTY	167.43 ACRES (PARCELS 46-3-12; 46-3-11; 46-3-1; 46-3-2A; 46-3-14)
AREA OF CONCERN FOR SPECIAL USE PERMIT	0.42 ACRES (PARCEL 46-3-14)

AREA OF DISTURBANCE: 0.42ACRES (18,326 SF)
OF THE 18,326 SF DISTURBED, 13,246 SF (72%) INCLUDES PERMEABLE SURFACES OR RE-GRADED AREAS TO IMPROVE SITE ACCESSIBILITY
OF THE 5,080 SF (28%) OF IMPERMEABLE SURFACES WITHIN THE AREA OF DISTURBANCE:
40% OF SURFACES EXIST WITHIN THE CURRENT FOOTPRINTS OF TWO EXISTING BUILDING STRUCTURES
31% IS PAVING, AND
29% IS A COMBINED AREA CONSISTING OF A PROPOSED GARAGE AND ROOF TO AN OUTDOOR TERRACE

THE ANTICIPATED USE OF THESE PROPERTIES IS CONSISTENT WITH THE SPECIAL USE PERMIT DEFINITION OF ARTIST COMMUNITY, WITHIN THIS ZONING DISTRICT:

MINIMUM PROPERTY SIZE OF 20ACRES	PROPERTY IS +/- 167 ACRES
MAXIMUM FLOOR AREA OF 40,000 SQUARE FEET (CUMULATIVE / ALL FACILITIES)	FLOOR AREA WILL BE WELL UNDER THIS LIMIT
MAXIMUM OF 25 RESIDENT ARTISTS AT ANY TIME WITH EACH RESIDENT ARTIST BEING LIMITED TO A MAXIMUM DURATION OF NINETY-FIVE (95) CONSECUTIVE DAYS	-RETREAT PROGRAM: 1-4 ARTISTS/WRITERS/SCHOLARS/ACTIVISTS IN RESIDENCE (1-WEEK TO 6-WEEK RESIDENCIES) -SMALL GROUP PROGRAMS FOR 1 DAY TO 1 WEEK, ENCOMPASSING DAY PROGRAMS AND LIMITED OVERNIGHT STAYS
MAXIMUM OF 15 PUBLIC EVENTS PER YEAR (MONTHLY OPEN HOUSES/OPEN STUDIOS AND INFREQUENT FUNDRAISING EVENTS)	ANTICIPATE FEW PUBLIC EVENTS - CERTAINLY FEWER THAN 15 PER YEAR
EXISTING STRUCTURES AREA ADAPTIVELY REUSED (AS APPLICABLE) AND NEW STRUCTURES ARE DESIGNED TO BE COMPATIBLE WITH RURAL CHARACTER OF SURROUNDING AREA	REHABBING AND REPURPOSING EXISTING STRUCTURES AND FOOTPRINTS WITH MINOR ADDITIONAL SITE AMENITIES. ALL STRUCTURES WILL BE COMPATIBLE WITH THE RURAL CHARACTER OF THE SURROUNDING AREA.

KASSAM-ADAMS PROPERTIES

360 LAUREL LANE
Lovingston, VA 22949

PARCELS 46 3 12
46 3 11
46 3 1
46 3 2A
46 3 14

SIGNATURE PANEL FOR APPROVALS FROM THE FOLLOWING:

PLANNING & ZONING DIRECTOR

VIRGINIA DEPARTMENT OF TRANSPORTATION

VIRGINIA DEPARTMENT OF HEALTH

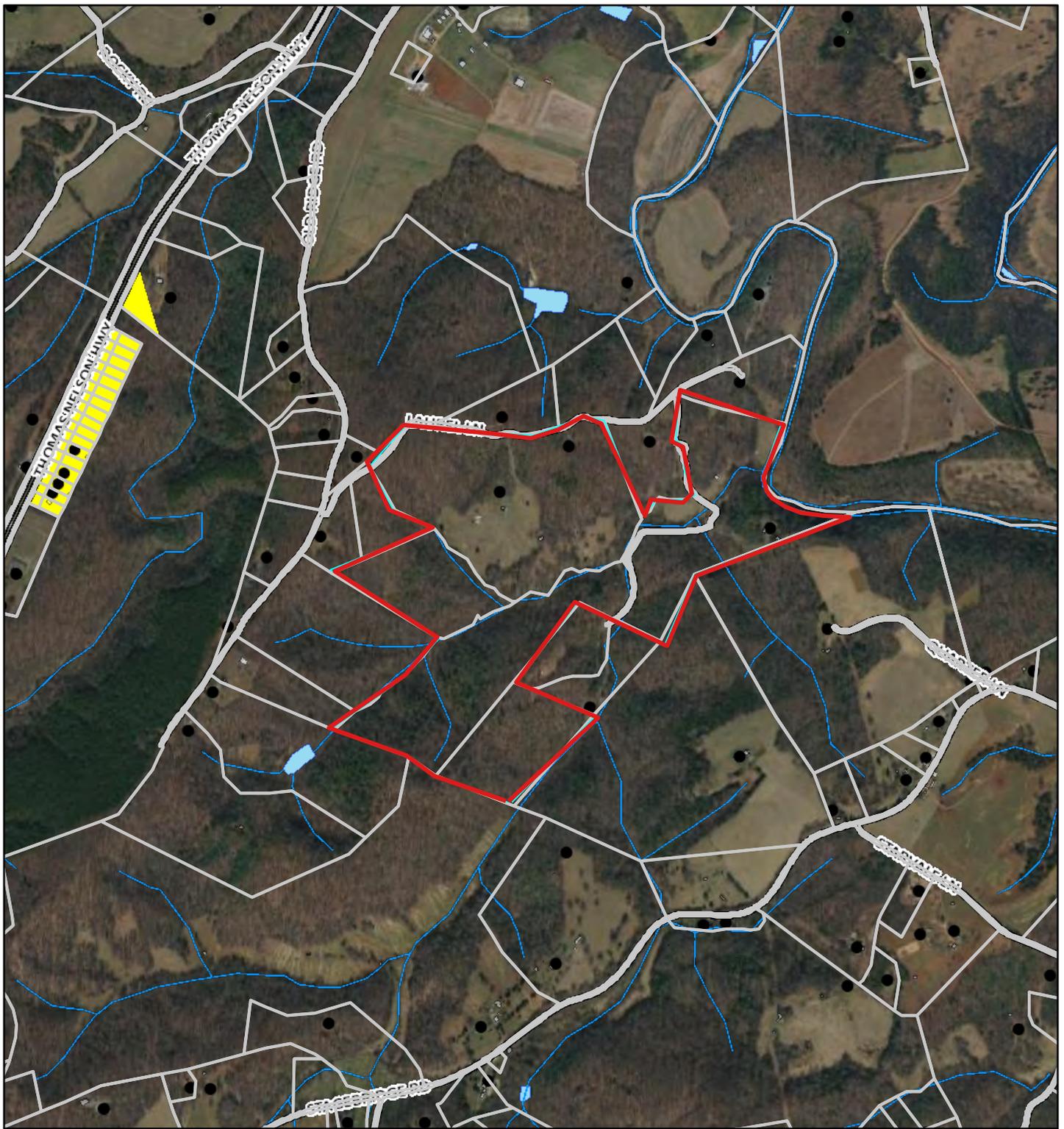
NELSON COUNTY SERVICE AUTHORITY

ISSUES AND REVISIONS

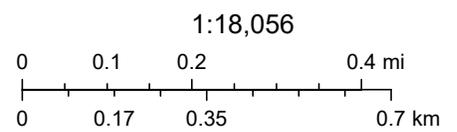
NO.	SUBMITTAL	DATE
1.	SITE PLAN FOR MINOR SITE PLAN AMENDMENT IN SUPPORT OF SPECIAL USE PERMIT APPLICATION	05.25.20
2.		

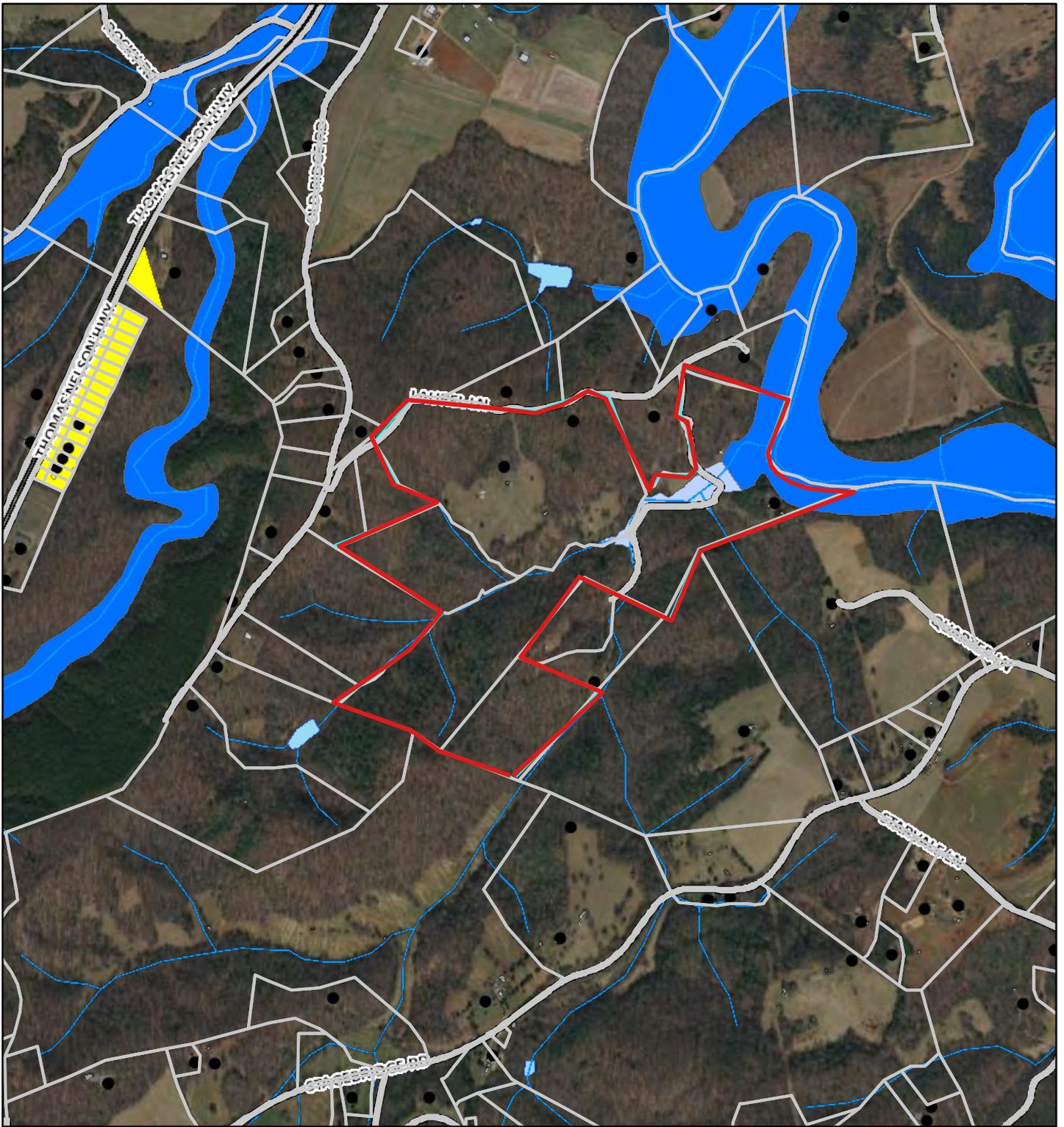


73 Meadow Drive: Accumulative Floor Area (SF), All Facilities; (Max 40,000 SF (cumulative /all facilities) allowed under 4-1-46a)				
	Structure	Area Per Floor (SF)		Area per building footprint (SF)
<i>Existing Structure Adaptively Reused</i>	Studio	511		511
	Garage	1,120		1,120
	Main Building			
<i>Existing Structure Adaptively Reused</i>	Level 2	690		
<i>Existing Structure Adaptively Reused</i>	Level 1	1,379		
<i>Existing Structure Adaptively Reused</i>	Basement	1,038		1,038
	Total Accumulative Floor Area (SF):	4,738	Total Area of Building Footprints (SF):	2,669

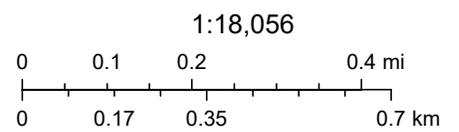


July 16, 2020





July 16, 2020



Dylan Bishop

From: Kessler, Jeffery <jefferyb.kessler@vdot.virginia.gov>
Sent: Tuesday, July 14, 2020 4:04 PM
To: Dylan Bishop
Subject: Re: SUP 2020-02 Kassam-Adams Artist Community

Dear Dylan;

The proposed location is accessed from a non-state maintained roadway (Laurel Lane) which is connected to the state highway system by a segment of Old Ridge Road beyond the end of state maintenance (Route 742).

While VDOT has no authority over Laurel Lane, the site is accessed from Route 29 via Woods Mill Lane (Route 786) and a short section of state maintained Old Ridge Road (Route 742). Woods Mill Lane is a winding roadway with 16 feet of paved surface whose geometrics are substandard to today's requirements for 180 vehicles per day (2019 Count). The state portion of Old Ridge Road has 18 feet of paved surface and 80 vehicles per day (2019 Count). The proposed use will increase the traffic volume along these two roadway, potentially significantly during events. Therefore, safety of the traveling public should be considered.

I will be happy to address any questions.

Sincerely;

Jeff

Jeffery B. Kessler, P.E.

Area Land Use Engineer

JefferyB.Kessler@VDOT.Virginia.gov

(434) 856-8293

On Tue, Jul 14, 2020 at 2:31 PM Dylan Bishop <dbishop@nelsoncounty.org> wrote:

Jeff,

Attached is the application packet for the proposed artist community at 360 Laurel Lane. Thank you!

Thanks,

Dylan Bishop

From: Eick, Thomas <tom.eick@vdh.virginia.gov>
Sent: Monday, July 06, 2020 4:16 PM
To: Dylan Bishop
Subject: Re: July Public Hearings

Hi Dylan,

Thanks for sending those review materials. I have no comment on the tower proposal. It sounds like the Powell building in Faber has an existing private well and septic system. If BI would need a review of the septic system for building permit purposes an OSE would need to do that since this is commercial. Ditto for the Common Grounds SUP request.

The Johnston travel trailer SUP request looks like there is a designated area for a drainfield adjacent to the proposed location for the trailer. If existing well and septic are not present, the owner would need to secure a permit to construct those through the private sector, since this would not be a primary place of residence.

Lastly, the Tatarka zoning change request mentions additional parking in a large field area. The former owners of this property used this area for the location of their repair drainfield. Further research would be needed to determine what, if any, part of the field area is suitable for parking.

Tom

On Thu, Jul 2, 2020 at 10:51 AM Dylan Bishop <dbishop@nelsoncounty.org> wrote:

No worries! I attached the pdf versions to this email just in case. Let me know you got them. Thank you! Hope you have been doing well – have a great July 4th weekend!

Dylan

Dylan Bishop

From: Dropbox <no-reply@dropbox.com>
Sent: Wednesday, July 01, 2020 12:26 PM
To: Dylan Bishop
Subject: Charles Miller commented on "SUP 2020-02 Kassam-Adams.pdf"



Charles Miller added 1 new comment on [SUP 2020-02 Kassam-Adams.pdf](#)



Charles Miller July 1

Provide the location of where people are going to stay. This will fall under the commercial building code (VCC). We will need full plans of all structures on the property that will be used for the retreat business.

Dylan Bishop

From: John Holland <JHolland@dominionaviation.com>
Sent: Friday, July 10, 2020 7:17 AM
To: Dylan Bishop
Subject: Permit for Artist community permit in Woodsmill subdivision.

Ms. Bishop

I have read the permit for a proposed " Artist Community " In Woodsmill subdivision of residences. The proposal that is put forth is for a group home for youth and adults. There will be no oversight on who lives (up to 25 at a time plus youths) in our neighborhood to live besides that of the Kassam's. The community group they wish to build is commendable but it is not something I wish for my neighborhood. I do not wish to live my life around frequent festivals and/or fund raisers. Not to mention the wear and tear on the neighborhood road which is gravel and not maintained by the state or the Kassam's alone. A group of 25 individuals plus youth plus how many individuals would come for the festivals/fundraisers is not fair to the residents of the neighborhood who have to live here and maintain the road. I hope the supervisors would reject this application.

Thank you
John Holland

Nelson County Planning Commission

To: Planning Commission

From: Dylan M. Bishop, Director of Planning & Zoning *DMB*

Date: July 22, 2020

Re: SUP #2020-03 – Office – Harry Powell & Sara Aldridge – 371 Altamont Lane

BACKGROUND: This is a request for a special use permit to allow an artist community on property zoned A-1 Agricultural.

Public Hearings Scheduled: P/C – July 22, 2020; Board – August 11, 2020 (tentative)

Location / Election District: 371 Altamont Lane / Central District

Tax Map Number(s) / Total acreage: 48-A-6 / 93.41 +/- acre parcel

Applicant Contact Information: Harry Powell, 4011 Stagebridge Road, Shipman, VA 22971, 434-987-3546 / Sara Aldridge, 5 Altamont Lane, Faber, VA 22938, 434-531-9240

Comments: This agricultural property currently contains an existing dwelling, storage shed, and approximately 12,000 square foot building that was previously used for agricultural processing. The applicant is proposing to utilize the existing building as office space for small professional, research and engineering companies. No new structures or additions are proposed as part of this request.

DISCUSSION:

Land Use / Floodplain: This area is agricultural and residential in nature. There are no 100-year flood plains on the property. The existing building will require a change of use from the Building Inspections Department.

Access and Traffic: The property is accessed by Altamont Lane, from Irish road. The entrance will be required to be upgraded and relocated in order to meet VDOT's current commercial entrance requirements. The applicant is working with VDOT to accomplish this.

Utilities: The property is served by existing private water and septic systems. Should Building Inspections require a review of the septic system for building permit purposes, an Onsite Soil Evaluator (OSE) would need to perform the review.

Conditions: The Planning Commission may recommend, and the Board of Supervisors may impose, reasonable conditions upon the approval of the special use permit.

Comprehensive Plan: This property is in an area designated as Rural and Farming on the current Future Land Use Plan.

RECOMMENDATION: The approval of special use permits should be based on the following factors:

1. The use shall not tend to change the character and established pattern of development of the area or community in which it proposed to locate.
2. The use shall be in harmony with the uses permitted by right in the zoning district and shall not affect adversely the use of neighboring property.
3. The proposed use shall be adequately served by essential public or private water and sewer facilities.
4. The proposed use shall not result in the destruction, loss or damage or any feature determined to be of significant ecological, scenic or historical importance

Attachments:

Application
Narrative
Site Plan
Comments



PERMIT APPLICATION: Nelson County Department of Planning & Zoning

TO THE ZONING ADMINISTRATOR: Special Use Permit # 2020-03
application type application number

1. The undersigned hereby petitions the Planning Commission and/or Board of Supervisors for approval of the following (check appropriate box):

- Special Use Permit
- Rezoning from _____ to _____
- Conditional Rezoning from _____ to _____
- Other: _____
- Subdivision
- Site Plan – Minor
- Site Plan – Major

Reason(s) for request:

The building at 371 Altamont Lane (Faber) was used for heavy manufacturing from the early 1970's to 2001. It has been used for storage since then. We wish to rent the building out to small companies for office space and professional use and small parts manufacturing.

(Please use reverse or attach additional sheet if more space is needed.)

2. Applicant(s) and Property Owner(s):
(Please provide names of applicants and property owners and indicate applicable title; if applicant is not the property owner, please show relationship, i.e. lessee, contract purchaser, etc.)

Applicant Property Owner Name: Harry C. Powell, Jr.
 Mailing Address: 4011 Stagebridge Road, Shipman, VA 22971
 Telephone #: 434-987-3546 Email Address: harryp@nelsoncable.com
 Relationship (if applicable): co-owner

Applicant Property Owner Name: Sara P. Aldridge
 Mailing Address: 5 Altamont Lane, Faber, VA 22938
 Telephone #: 434-531-9240 Email Address: spaldr123@aol.com
 Relationship (if applicable): co-owner

(Please attach additional sheet if more space is needed for applicant(s) / property owner(s) info.)

3. Location and Characteristics of Subject Property:

a. Address of Property (specific location, route numbers, street names, voting district, etc.):

371 Altamont Lane, Faber, VA 22938

b. Official tax map number: 48-A-6

c. Acreage of property: 93

d. Present use: Agricultural

e. Present zoning classification: Agricultural

f. Zoning classification of surrounding properties: Agricultural

4. Affidavit: The undersigned applicant(s) and/or property owner(s) certifies that this application and the foregoing answers, statements, and other information herewith submitted are, in all respects, true and correct to the best of their knowledge and belief. Also, the applicant(s) and/or property owner(s) gives permission for members of the Planning Commission, Board of Supervisors, and County Staff to visit and view the subject property.

Signature: [Signature] Printed Name: Harry C. Powell, Jr.

Signature: [Signature] Printed Name: SARA Powell Aldridge

(Please attach additional sheet if more space is needed for applicant(s) / property owner(s) signatures.)

5. Additional information: *(Please attach separate sheet for additional details, explanations, etc.)*

6. Please note: In the event of cancellation or postponement at your request after the initial newspaper advertisement for this application, an additional fee will apply for re-advertisement (determined by the actual cost of the ad). This fee will not apply in cases of Planning Commission or Board of Supervisors deferment.

-----**TO BE COMPLETED BY PLANNING & ZONING STAFF**-----

Pursuant to Article 4, Section 1-28a of the Nelson County Zoning Ordinance.
Pursuant to Section _____, Subsection _____ of the Nelson County Subdivision Ordinance.

- Completed application and fee (\$ 200) received on 6/26/2020
- Hearing Notice published on _____
- Planning Commission action: Date of Meeting / Hearing: _____
Recommendation: _____
- Board of Supervisors action: Date of Hearing: _____ Date of Decision: _____
Action: _____

Nelson County Planning & Zoning Department

(Mailing Address) P.O. Box 558, Lovingson, Virginia 22949 | *(Physical Address)* 80 Front Street, Lovingson, Virginia 22949
(Telephone Number) 434 263-7090 or Toll Free 888 662-9400, selections 4 & 1 | *(Fax Number)* 434 263-7086
<http://www.nelsoncounty-va.gov/departments/planning-zoning/>

Narrative Description of Powell SUP Application

Background

The building at 371 Altamont Lane, Faber, was built in the early 1970s and was used as a manufacturing facility for fruit sorting equipment that was shipped to orchards throughout the Eastern United States and Canada. The building is approximately 12,000 square feet in area, and has 3 phase power, and is on a private water and sewer system. There is also an open storage shed adjacent to the main building. At the peak of operations in the early 1990s, the company had approximately 30 employees and shipped as many as five tractor-trailer loads of equipment per week. Material was shipped in on tractor-trailers, and frequently involved multiple loads of steel, etc. per week. The company ceased operation in 2001 due to an extreme depression in the apple industry, and has been used for storage since.

Current Proposed Use

We are proposing to use this building as an incubator for small start-up professional, research, engineering, and small parts fabrication companies. We expect that as many as 4-5 different operations may use the building at one time, with a mix of sizes ranging from single-person operations to those employing 5 or 6 people. We anticipate that virtually all of the traffic will be automobiles or small trucks, with occasional deliveries from carriers such as UPS or FEDEX. Very occasionally there may be deliveries involving tractor-trailers, but we expect this to be rare. There will not be a heavy traffic demand on roads or noise from equipment operations. The proposed activities will not involve disturbing the existing soil and water conditions on the property. They will not interfere with the ongoing cattle and hay operations that are currently using the land.

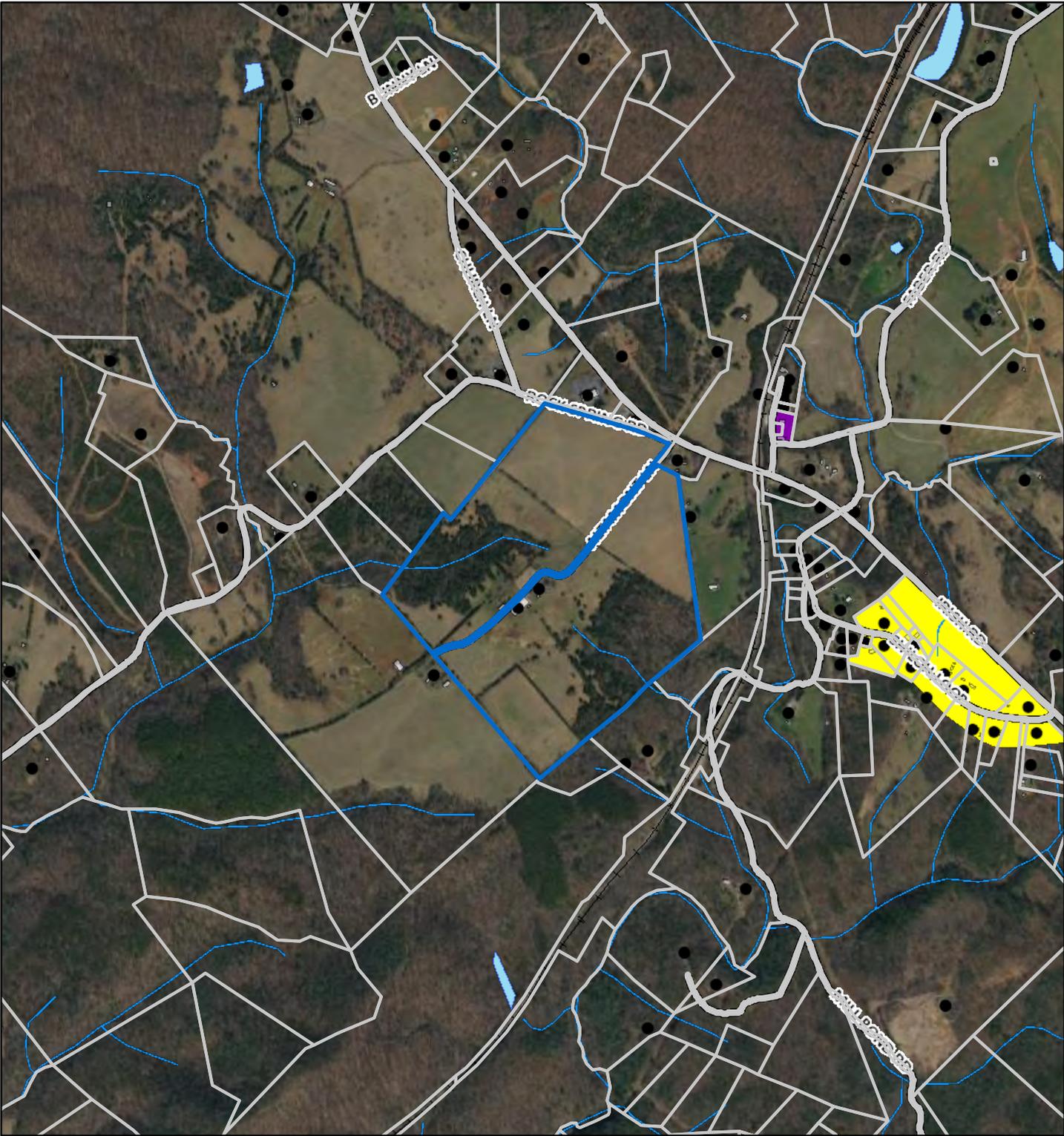
We see this operation as a benefit to Nelson County for several reasons. It will increase employment opportunities for engineering talent in the area, and this may well contribute to increased visibility of our County as a friendly and desirable place for high-tech businesses. These are typically operations, such as our proposed one, that will do this without destroying the natural beauty of Nelson, and will be a good neighbor to surrounding property owners.

Respectfully Submitted – June 25, 2020

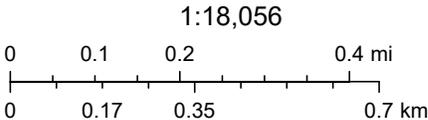
Harry C. Powell Jr



Sara P. Aldridge



July 16, 2020



MINOR SITE PLAN CHECKLIST – PROJECT

Date:



MINOR SITE PLAN CHECKLIST
Nelson County Dept. of Planning & Zoning

A	<input checked="" type="checkbox"/>	A vicinity map showing the location of the subject property.
B	<input checked="" type="checkbox"/>	Boundary lines of the subject property.
C		General layout design of what is proposed on a scale not smaller than one (1) inch equals (20) feet, including the location of all proposed streets, pathways, easements, and all proposed uses of the land. A different scale may be used provided it is approved by the Planning and Zoning Director.
D	<input checked="" type="checkbox"/>	Building setback lines.
E	<input checked="" type="checkbox"/>	Zoning of subject property and adjacent property.
F	<input checked="" type="checkbox"/>	Amount of land to be disturbed, including drain fields.
G	<input checked="" type="checkbox"/>	Tax map and parcel number.
H		Floodplains.
I	<input checked="" type="checkbox"/>	Wetlands, streams, rivers, etc.
J	<input checked="" type="checkbox"/>	Existing structures and roads.
K		Existing and proposed topography and contour lines of the development site with a contour interval of twenty (20) feet or less for minor site plans, supplemented where necessary by spot elevation.
L		The location of all existing and proposed utilities and easements including the width of the easement.
M		A legend that shows:
	<input checked="" type="checkbox"/>	<input type="checkbox"/> Ownership (Name and Address)
	<input checked="" type="checkbox"/>	<input type="checkbox"/> North arrow
	<input checked="" type="checkbox"/>	<input type="checkbox"/> Graphic scale
	<input checked="" type="checkbox"/>	<input type="checkbox"/> Area in acres
N		A signature panel to indicate approvals from the following:
	<input checked="" type="checkbox"/>	<input type="checkbox"/> Planning and Zoning Director
	<input checked="" type="checkbox"/>	<input type="checkbox"/> Virginia Department of Transportation
	<input checked="" type="checkbox"/>	<input type="checkbox"/> Virginia Department of Health
		<input type="checkbox"/> Nelson County Service Authority
O		Any other information which the Planning and Zoning Director deems necessary for the proper consideration of the application.

Harry Powell SUP Application

This packet contains the application, narrative, checklist, and tax maps showing the location of the existing building to be used. Also included is a surveyor's plat of the property done in 1946. There is no plat on file in the courthouse, and this was obtained through the surveying company that did the original survey. Note that land was donated to Nelson County/VDOT for road frontage along the front property line to allow for widening and paving Rockspring Road.

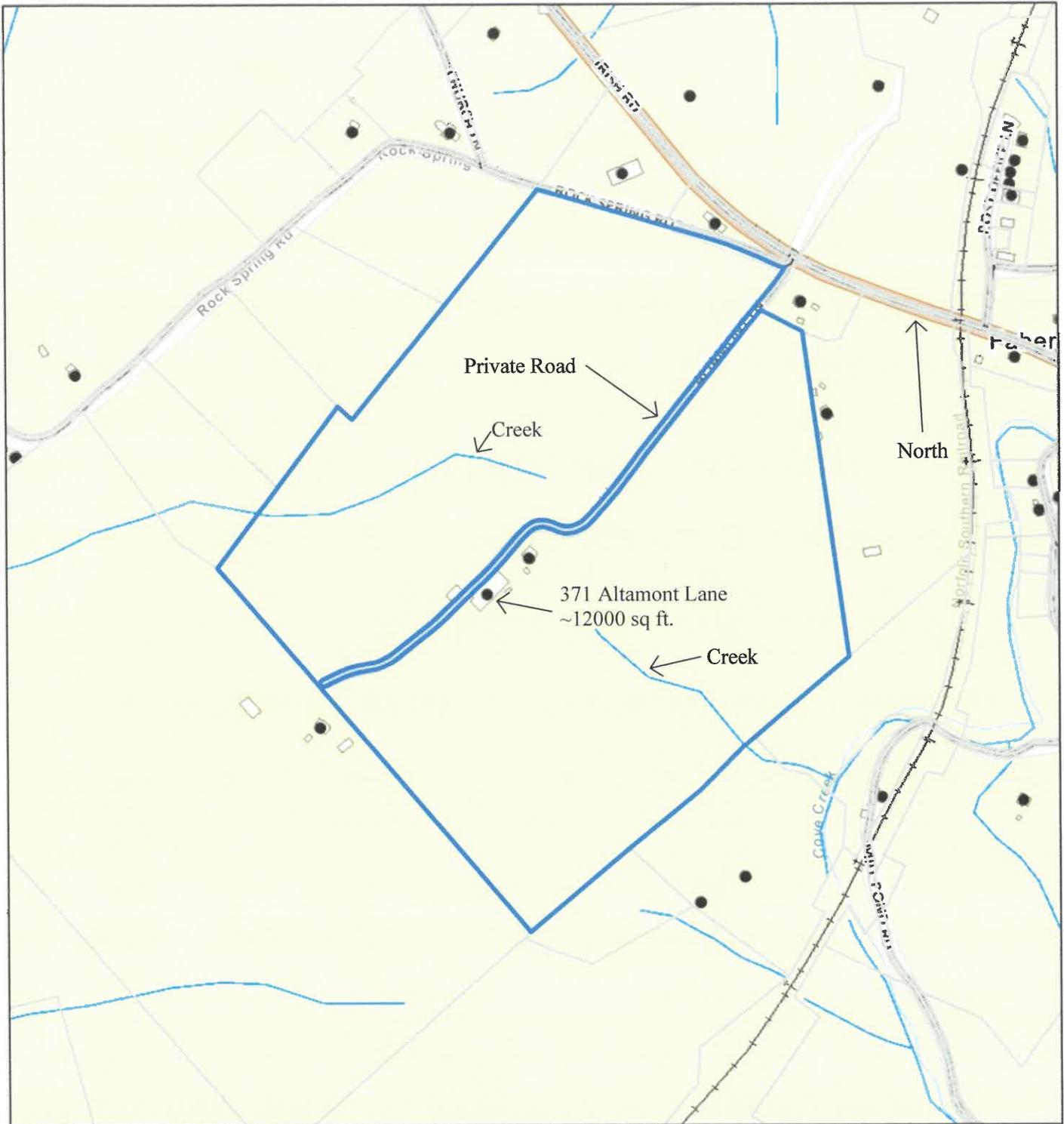
Below are signature lines for the following:

Planning and Zoning Director _____

VDOT _____

VDH _____

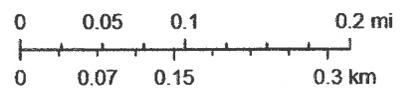
48-A-6

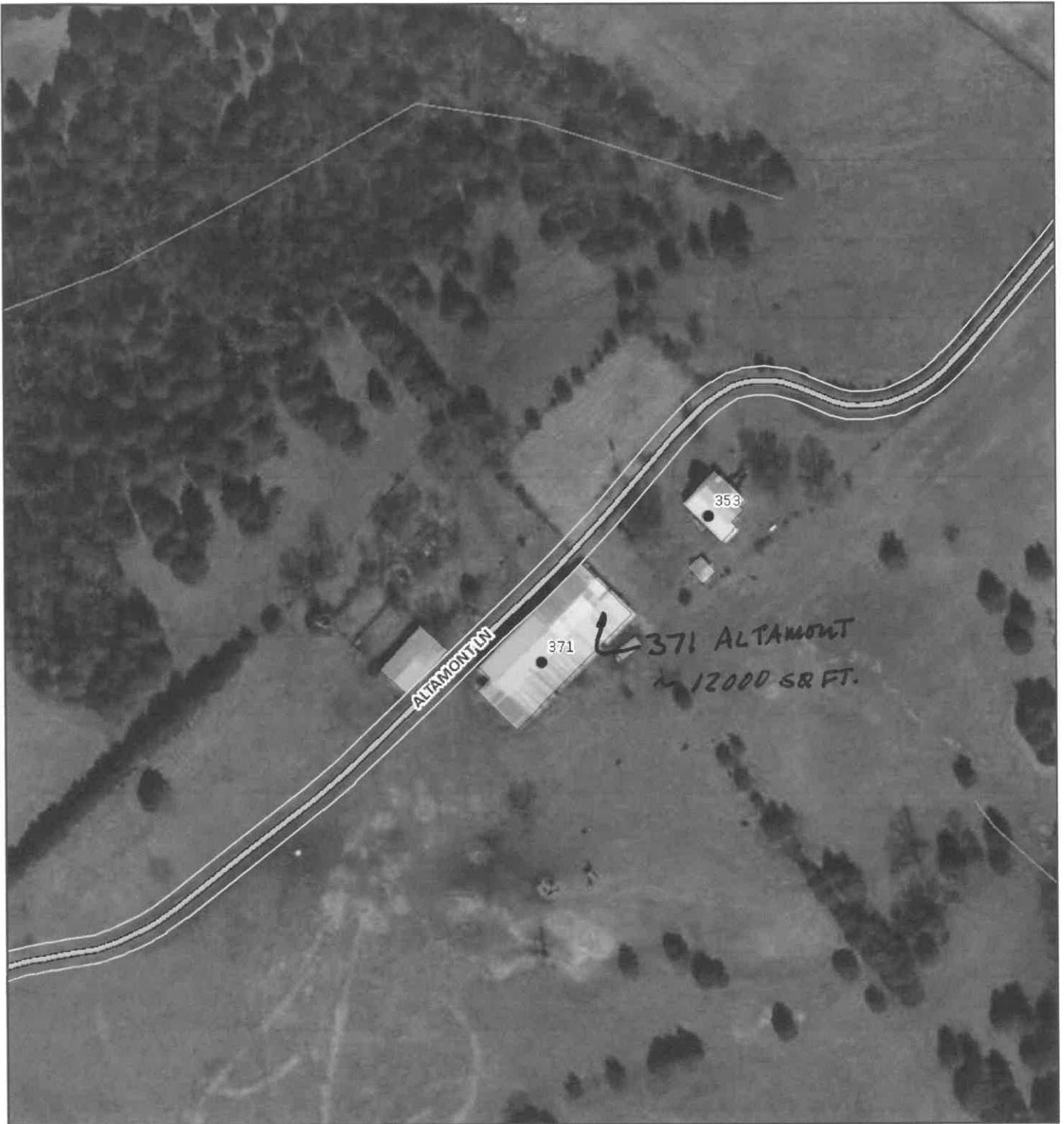


June 26, 2020

Harry C. Powell
93 acres +/-

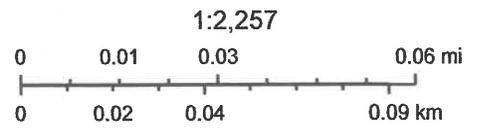
1:9,028





June 22, 2020

FROM
TAX MAP
4B-A-6

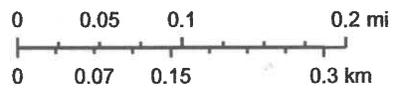


Virginia Geographic Information Network (VGIN)



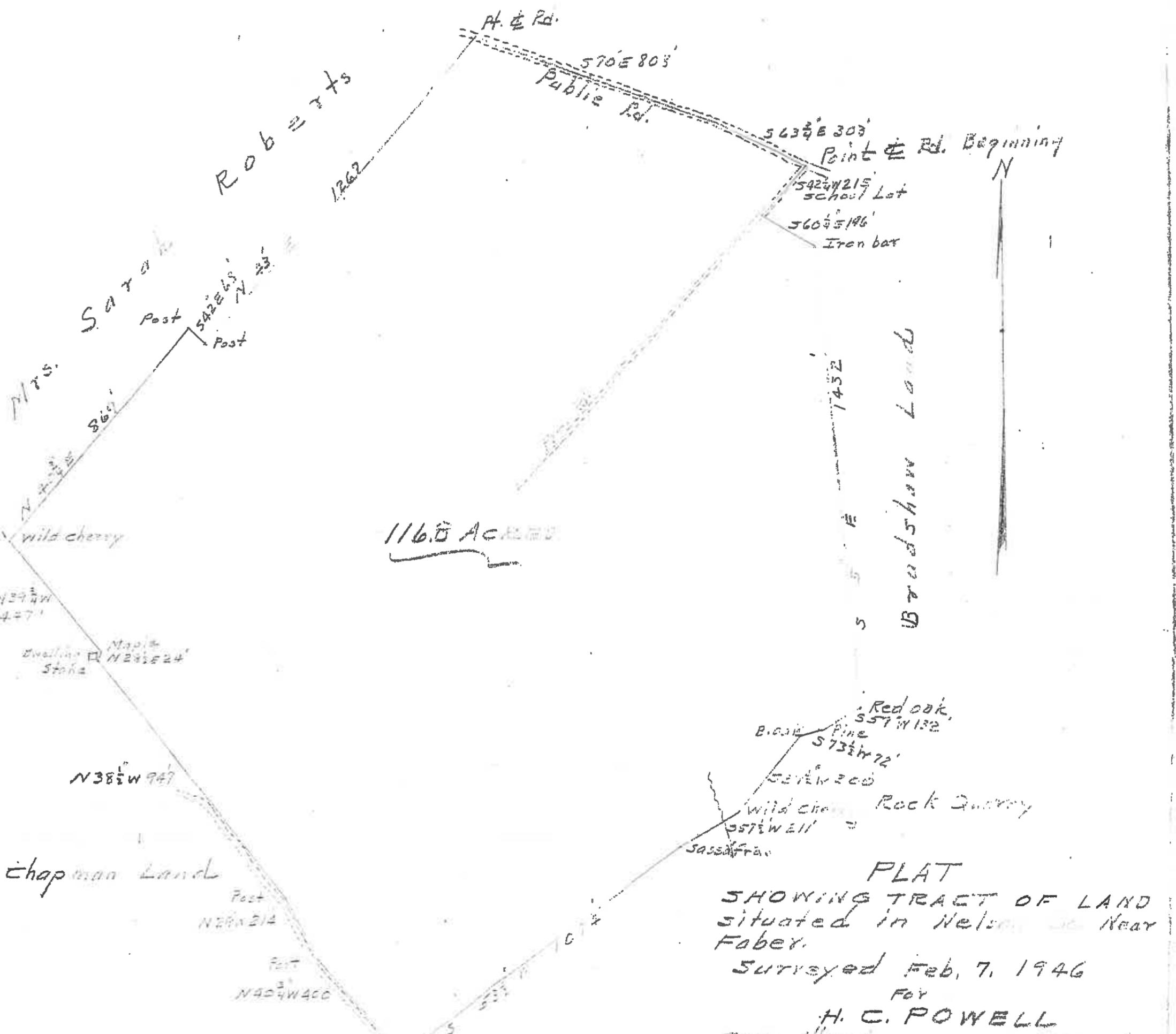
June 22, 2020

1:9,028



TAX MAP 48-A-6

Virginia Geographic Information Network (VGIN)



116.0 Ac

PLAT
 SHOWING TRACT OF LAND
 situated in Nelson Co Near
 Faber.

Surveyed Feb. 7, 1946

For
 H. C. POWELL

Scale 1"=300'

Thomas G. ...

Dylan Bishop

From: Kessler, Jeffery <jefferyb.kessler@vdot.virginia.gov>
Sent: Wednesday, July 08, 2020 4:12 PM
To: Dylan Bishop
Cc: Emily Hjulstrom; harryp@nelsoncable.com; spaldr123@aol.com
Subject: Nelson Co. Special Use Permit Request #2020-03: Powell/Aldridge - TM# 48-A-6, Route 620

Dear Dylan;

I am writing with regard to the Powell-Aldridge request to convert an existing structure at 371 Altamont Lane, Faber as rental space for offices and professional use along with small parts manufacturing.

The application states that this structure was previously used for heavy manufacturing between early 1970's to 2001. Based on both the proposed use and length of time since the structure was commercially used, the entrance must be upgraded to meet VDOT's current commercial entrance requirements. This will require the relocation of the entrance to satisfy both entrance spacing and sight distance requirements and the construction of a paved entrance to accommodate two -way access by design vehicle. Plans prepared by a Virginia licensed Professional Engineer of appropriately certified Land Surveyor are required for VDOT's acceptance along with a VDOT Land Use Permit to construct the commercial entrance.

Please notify me if you have any questions.

Sincerely,

Jeff

Jeffery B. Kessler, P.E.

Area Land Use Engineer

JefferyB.Kessler@VDOT.Virginia.gov

(434) 856-8293

Dylan Bishop

From: Eick, Thomas <tom.eick@vdh.virginia.gov>
Sent: Monday, July 06, 2020 4:16 PM
To: Dylan Bishop
Subject: Re: July Public Hearings

Hi Dylan,

Thanks for sending those review materials. I have no comment on the tower proposal. It sounds like the Powell building in Faber has an existing private well and septic system. If BI would need a review of the septic system for building permit purposes an OSE would need to do that since this is commercial. Ditto for the Common Grounds SUP request.

The Johnston travel trailer SUP request looks like there is a designated area for a drainfield adjacent to the proposed location for the trailer. If existing well and septic are not present, the owner would need to secure a permit to construct those through the private sector, since this would not be a primary place of residence.

Lastly, the Tatarka zoning change request mentions additional parking in a large field area. The former owners of this property used this area for the location of their repair drainfield. Further research would be needed to determine what, if any, part of the field area is suitable for parking.

Tom

On Thu, Jul 2, 2020 at 10:51 AM Dylan Bishop <dbishop@nelsoncounty.org> wrote:

No worries! I attached the pdf versions to this email just in case. Let me know you got them. Thank you! Hope you have been doing well – have a great July 4th weekend!

Dylan

Dylan Bishop

From: Dropbox <no-reply@dropbox.com>
Sent: Wednesday, July 01, 2020 12:32 PM
To: Dylan Bishop
Subject: Charles Miller commented on "SUP 2020-03 Powell.pdf"



Charles Miller added 1 new comment on [SUP 2020-03 Powell.pdf](#)



Charles Miller July 1

The building will need a change of use done through the building code (VCC). complete drawings of the building with the proposed division of the building and the respected proposed uses will be needed. There might be code compliance work needed to bring the building up to code for the individual uses.